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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

Rapporteur: Ms. Katharina **Konzett-Stoffl** (Austria)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub-item (a), "Implementation of human rights instruments"; sub-item (c), "Human rights situations and reports of special rapporteurs and representatives"; and sub-item (d), "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", and held a general discussion on item 74, "Promotion and protection of human rights", as a whole, at its 17th to 37th meetings, from 15 to 19, from 22 to 26 and on 29 October. The Committee considered proposals and took action on the sub-item at its 44th to 47th, 51st, 52nd and 54th meetings, on 6, 8, 13, 16, 19 and 20 November. An account of the Committee's consideration is contained in the relevant summary records.[1]

* The report of the Committee on this item is being issued in five parts, under the symbols A/73/589, A/73/589/Add.1, A/73/589/Add.2, A/73/589/Add.3 and A/73/589/Add.4.

[1] A/C.3/73/SR.17, A/C.3/73/SR.18, A/C.3/73/SR.19, A/C.3/73/SR.20, A/C.3/73/SR.21, A/C.3/73/SR.22, A/C.3/73/SR.23, A/C.3/73/SR.24, A/C.3/73/SR.25, A/C.3/73/SR.26, A/C.3/73/SR.27, A/C.3/73/SR.28, A/C.3/73/SR.29, A/C.3/73/SR.30, A/C.3/73/SR.31, A/C.3/73/SR.32, A/C.3/73/SR.33, A/C.3/32/SR.34, A/C.3/73/SR.35, A/C.3/73/SR.36, A/C.3/73/SR.37, A/C.3/73/SR.44, A/C.3/73/SR.45, A/C.3/73/SR.46, A/C.3/73/SR.47, A/C.3/73/SR.51, A/C.3/73/SR.53 and A/C.3/73/SR.54.

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3. For the documents before the Committee under this sub-item, see document A/73/589.

4. At the 17th meeting, on 15 October, the United Nations High Commissioner for Human Rights made an introductory statement and responded to questions posed and comments made by the representatives of Morocco (on behalf of the Group of African States), Cuba, Romania, Argentina, Poland, Qatar, Germany, the United States of America, Spain, Belarus, Burundi, Brazil, the Syrian Arab Republic, Albania, Japan, Switzerland, Iceland (on behalf of the Nordic and Baltic countries, composed of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden), Eritrea, Chile, Greece, Peru, Egypt, Liechtenstein, Georgia, China, the European Union, Mexico, the Netherlands, Angola, the Islamic Republic of Iran, Portugal, Guatemala, Ireland, Libya, Viet Nam, Saudi Arabia, the United Kingdom of Great Britain and Northern Ireland, Canada, Azerbaijan, Bahrain, the Russian Federation, India, Algeria, the Democratic People's Republic of Korea, the United Arab Emirates, the Comoros, Ukraine, the Plurinational State of Bolivia, Pakistan, Nicaragua, Nigeria, Afghanistan, Indonesia, Myanmar and the Bolivarian Republic of Venezuela, as well as by the observer of the State of Palestine.

5. At the 19th meeting, on 16 October, the Chief of the Development and Economic and Social Issues Branch of the Office of the United Nations High Commissioner for Human Rights in New York made an introductory statement and responded to questions posed and comments made by the representatives of Azerbaijan, the Syrian Arab Republic, the Democratic People's Republic of Korea and the Islamic Republic of Iran.

6. At the 20th meeting, on 16 October, the Chair of the Working Group on the issue of human rights and transnational corporations and other business enterprises made an introductory statement and responded to questions posed and comments made by the representatives of South Africa, Spain, the European Union, Switzerland, the United Kingdom, the United States, the Russian Federation, Norway, Indonesia and Cuba.

7. At the same meeting, the Special Rapporteur on the rights to freedom of peaceful assembly and of association made an introductory statement and responded to questions posed and comments made by the representatives of Morocco, the United States, the European Union, Switzerland, South Africa, the United Kingdom, Czechia, the Russian Federation, China, Cuba, the Islamic Republic of Iran, Brazil, the Bolivarian Republic of Venezuela and the Syrian Arab Republic.

8. At the 21st meeting, on 17 October, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism made an introductory statement and responded to questions posed and comments made by the representatives of the United Kingdom, Belgium (on behalf of the European Union), Ireland, Iraq, the Russian Federation and Mexico.

9. At the same meeting, the Special Rapporteur on the independence of judges and lawyers made an introductory statement and responded to questions posed and comments made by the representatives of the European Union, the United Arab Emirates, Morocco, the Russian Federation and Turkey.

10. Also at the same meeting, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights made an introductory statement and responded to questions posed and comments made by the representatives of Bahrain (also on behalf of Saudi Arabia, the United Arab Emirates and Egypt), the Sudan, Qatar, the Islamic Republic of Iran, the Bolivarian Republic of Venezuela, the Russian Federation, the Syrian Arab Republic, the Democratic

People's Republic of Korea, the United Arab Emirates, Cuba, Israel and Saudi Arabia, as well as by the observer of the State of Palestine.

11. At the 22nd meeting, on 17 October, the Chair-Rapporteur of the Working Group on the Right to Development made a statement and responded to questions posed and comments made by the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), the Russian Federation, Cuba, the Islamic Republic of Iran, China, Pakistan and Morocco.

12. At the same meeting, the Special Rapporteur on the right to development made an introductory statement and responded to questions posed and comments made by the representatives of the Comoros (on behalf of the Group of African States), Indonesia, Morocco, the European Union, South Africa, the Sudan, the Islamic Republic of Iran, Brazil, Cuba and Egypt.

13. Also at the same meeting, the Independent Expert on the promotion of a democratic and equitable international order made an introductory statement and responded to questions posed and comments made by the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries) and Cuba.

14. At the 23rd meeting, on 18 October, the Special Rapporteur on the human rights of internally displaced persons made an introductory statement and responded to questions posed and comments made by the representatives of Norway, the United States, the European Union, Libya, Switzerland, Iraq, Austria, Georgia, Azerbaijan, the Russian Federation, the Syrian Arab Republic and Armenia.

15. At the 24th meeting, on 18 October, the Special Rapporteur on the human rights of migrants made an introductory statement and responded to questions posed and comments made by the representatives of Qatar, El Salvador, Eritrea, Colombia, Brazil, Switzerland, Canada, Germany, the United Arab Emirates, South Africa, Iraq, the European Union, Greece, Morocco, Cuba, the Bolivarian Republic of Venezuela and Chile.

16. At the 25th meeting, on 19 October, the Special Rapporteur on the right to education made an introductory statement and responded to questions posed and comments made by the representatives of Qatar, the United Kingdom, the European Union, Indonesia, Morocco, Cuba, Estonia, Portugal, Hungary and Ukraine.

17. At the same meeting, the representative of the United Nations Educational, Scientific and Cultural Organization made a statement.

18. Also at the same meeting, the Special Rapporteur on extreme poverty and human rights made an introductory statement and responded to questions posed and comments made by the representatives of the European Union, South Africa and Eritrea.

19. At the 26th meeting, on 19 October, the Special Rapporteur on the human rights to safe drinking water and sanitation made an introductory statement and responded to questions posed and comments made by the representatives of Spain, South Africa, Germany, the European Union, Switzerland, Morocco, El Salvador, the Russian Federation, Israel and Ukraine, as well as by the observer of the State of Palestine.

20. At the same meeting, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living made an introductory statement and responded to questions posed and comments made by the representatives of Morocco, South Africa, the European Union, the Republic of Korea, the Russian Federation and Germany, as well as by the observer of the State of Palestine.

21. Also at the same meeting, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health made an introductory statement and responded to questions posed and comments made by the representatives of South Africa, Portugal, the European Union, Lithuania, Bahrain, Morocco, Colombia and the Islamic Republic of Iran.

22. At the 27th meeting, 22 October, the Special Rapporteur on the rights of persons with disabilities made an introductory statement and responded to questions posed and comments made by the representatives of South Africa, Spain, Costa Rica, Colombia, the United Republic of Tanzania, Australia, the Democratic People's Republic of Korea, Bahrain, the Russian Federation, Iraq, the European Union, Indonesia, Mexico, New Zealand, Brazil, Israel and the United States.

23. At the same meeting, the Independent Expert on the enjoyment of human rights by persons with albinism made a statement and responded to questions posed and comments made by the representatives of the United Republic of Tanzania, Japan, the European Union, Namibia, South Africa and Israel.

24. At the 28th meeting, on 22 October, the Special Rapporteur on freedom of religion or belief made an introductory statement and responded to questions posed and comments made by the representatives of the United States, the United Kingdom, Romania, Bahrain, Australia, Poland, the Netherlands, the European Union, the Russian Federation, Czechia, Ireland, Greece, Denmark (on behalf of the Nordic and Baltic countries), Hungary, China, Canada and Norway.

25. At the same meeting, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression made an introductory statement and responded to the questions posed and comments made by the representatives of the United States, the European Union, Switzerland, Latvia, Austria, France, the United Kingdom, the Russian Federation, Cuba, China, Mexico, Tajikistan, Turkey, the Islamic Republic of Iran, South Africa and Ukraine.

26. Also at the same meeting, the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, made an introductory statement.

27. At the 29th meeting, on 23 October, the Special Rapporteur on minority issues made an introductory statement and responded to questions posed and comments made by the representatives of Hungary, Spain, the European Union, Mexico, Slovenia, Iraq, the Russian Federation, Myanmar, Latvia, Austria, the Syrian Arab Republic, Cameroon, Ukraine and India.

28. At the same meeting, the Special Rapporteur on the situation of human rights defenders made an introductory statement and responded to the questions posed and comments made by the representatives of Spain, Iceland, Canada, Australia, the European Union, Poland, Ireland, Switzerland, Mexico, Liechtenstein, Estonia, Czechia, Colombia, France, Slovenia, Norway, the United States, Belgium, the Russian Federation, China, the United Arab Emirates, Cuba and the Islamic Republic of Iran.

29. Also at the same meeting, the Special Rapporteur in the field of cultural rights made a statement and responded to questions posed and comments made by the representatives of Egypt, the European Union and the Russian Federation.

30. At the 33rd meeting, on 25 October, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence made an introductory statement and responded to questions posed and comments made by the

representatives of Argentina, the United States, the Russian Federation, the European Union, Ireland, Switzerland and the Syrian Arab Republic.

31. At the same meeting, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity made an introductory statement and responded to questions posed and comments made by the representatives of Costa Rica, Sweden (also on behalf of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania and Norway), Brazil, Argentina, the Netherlands, Georgia, Colombia, Spain, South Africa, Mexico, Iceland, the European Union, Albania, France, New Zealand, Belgium, Slovenia, El Salvador, Australia, Ireland, the United States, Uruguay, Canada, the United Kingdom and Germany.

32. Also at the same meeting, the Special Rapporteur on extrajudicial, summary or arbitrary executions made an introductory statement and responded to questions posed and comments made by the representatives of the Russian Federation, France (also on behalf of Germany), Australia, New Zealand, Iceland, Brazil, El Salvador, Switzerland, the United States, Iraq, the European Union, Mexico, Saudi Arabia and Colombia.

33. At the 34th meeting, on 25 October, the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment made an introductory statement and responded to questions posed and comments made by the representatives of Costa Rica, the Russian Federation, Switzerland, Slovenia, the European Union and France.

34. At the same meeting, the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes made an introductory statement and responded to questions posed and comments made by the representatives of the European Union and Japan.

35. Also at the same meeting, the Chair-Rapporteur of the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas made an introductory statement and responded to questions posed and comments made by the representatives of the Plurinational State of Bolivia, Indonesia, the European Union, Cuba and South Africa.

36. At the 35th meeting, on 26 October, the Special Rapporteur on trafficking in persons, especially women and children, made an introductory statement and responded to questions posed and comments made by the representatives of Switzerland, the United Kingdom, Qatar, the European Union, Bahrain, the Russian Federation, the Syrian Arab Republic, the United States, Indonesia, Liechtenstein, Belarus, South Africa, Greece, Myanmar and Israel.

37. At the same meeting, the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, made an introductory statement and responded to questions posed and comments made by the representatives of Qatar, the European Union, the United Kingdom and the United States.

38. Also at the same meeting, the Special Rapporteur on the right to food made an introductory statement and responded to questions posed and comments made by the representatives of the Comoros (on behalf of the Group of African States), Turkey, Cuba, South Africa, the European Union, Viet Nam and Indonesia.

39. At the 36th meeting, on 26 October, the Special Rapporteur on the right to privacy made an introductory statement and responded to questions posed and comments made by the representatives of Australia, the European Union, Germany and Brazil.

II. Consideration of proposals

A. Draft resolution A/C.3/73/L.27/Rev.1

40. At its 51st meeting, on 16 November, the Committee had before it a draft resolution entitled "Human rights and extreme poverty" (A/C.3/73/L.27/Rev.1), which replaced draft resolution A/C.3/73/L.27 and was submitted by Belize, Canada, Chile, China, Ecuador, Finland, France, Honduras, Ireland, Jamaica, Japan, Liechtenstein, Mongolia, Namibia, Paraguay, Peru, the Republic of Korea, San Marino and Spain. Subsequently, Albania, Algeria, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cabo Verde, Cameroon, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Estonia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Hungary, Iceland, India, Israel, Italy, Jordan, Kenya, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, the Netherlands, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Palau, Panama, the Philippines, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia, Thailand, Togo, Tunisia, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Viet Nam and Yemen joined in sponsoring the draft resolution.

41. At the same meeting, the representative of Peru made a statement.

42. Also at its 51st meeting, the Committee adopted draft resolution A/C.3/73/L.27/Rev.1 (see para. 162, draft resolution I).

43. After the adoption of the draft resolution, the representative of the United States made a statement.

B. Draft resolution A/C.3/73/L.28

44. At its 44th meeting, on 6 November, the Committee had before it a draft resolution entitled "Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief" (A/C.3/73/L.28), submitted by Australia and Egypt (on behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation). Subsequently, Burundi, Canada, the Central African Republic, Eritrea, Japan, Sao Tome and Principe, South Sudan, Thailand and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

45. At the same meeting, the representative of Egypt, on behalf of the Organization of Islamic Cooperation, made a statement.

46. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.28 (see para. 162, draft resolution II).

47. Before the adoption of the draft resolution, the representative of Austria, on behalf of the European Union, made a statement.

C. Draft resolution A/C.3/73/L.30

48. At the 45th meeting, on 8 November, the representative of the Plurinational State of Bolivia, also on behalf of Cuba, Ecuador, El Salvador, Mongolia, Nicaragua, Paraguay, Portugal, South Africa and Venezuela (Bolivarian Republic of), introduced

a draft resolution entitled "United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas" (A/C.3/73/L.30). Subsequently, Algeria, Bangladesh, Burundi, Equatorial Guinea, Haiti, Namibia, the Philippines and Togo joined in sponsoring the draft resolution.

49. At the 53rd meeting, on 19 November, a statement was made by the representative of the Plurinational State of Bolivia.

50. At the same meeting, Benin, the Central African Republic, Chad, the Dominican Republic, Egypt, Eritrea, Guinea, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kenya, Liberia, Mali, the Niger, Nigeria, Pakistan, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sierra Leone, Somalia, South Sudan, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe joined in sponsoring the draft resolution.

51. Also at the same meeting, the representative of South Africa made a statement.

52. Also at its 53rd meeting, the Committee adopted draft resolution A/C.3/73/L.30 by a recorded vote of 119 to 7, with 49 abstentions (see para. 162, draft resolution III). The voting was as follows:[2]

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Hungary, Israel, New Zealand, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czechia, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Montenegro, Netherlands, Norway, Palau, Poland, Republic of Korea, Romania, Russian Federation, San Marino, Singapore, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

[2] The delegation of Guatemala subsequently indicated that it had intended to vote against.

53. Before the vote, the representative of the Plurinational State of Bolivia made a statement, to which the Chair responded, and statements in explanation of vote were made by the representatives of Switzerland, Spain, Ethiopia, Brazil, Mexico, the United Kingdom and Portugal (also on behalf of Luxembourg).

54. After the vote, statements in explanation of vote were made by the representatives of the United States, the Russian Federation, Sweden, Uruguay, France, Singapore and Guatemala, and statements were made by the representatives of Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, Montenegro, Serbia and the former Yugoslav Republic of Macedonia) and Indonesia.

D. Draft resolution A/C.3/73/L.31/Rev.1

55. At its 51st meeting, on 16 November, the Committee had before it a draft resolution entitled "The right to development" (A/C.3/73/L.31/Rev.1), which replaced draft resolution A/C.3/73/L.31 and was submitted by China, Cuba (on behalf of the of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), El Salvador and South Sudan.

56. At the same meeting, the representative of Cuba, on behalf of the Movement of Non-Aligned Countries, made a statement.

57. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.31/Rev.1 by a recorded vote of 141 to 10, with 33 abstentions (see para. 162, draft resolution IV). The voting was as follows:[3]

In favour:

Afghanistan, Algeria, Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

[3] The delegation of Hungary subsequently indicated that it had intended to abstain.

Against:

Czechia, Denmark, Finland, Germany, Israel, Netherlands, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Estonia, France, Georgia, Iceland, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Malta, Montenegro, New Zealand, Norway, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia.

58. Before the vote, the representative of Cuba made a statement, to which the Chair responded, and statements in explanation of vote were made by the representatives of the United States and Liechtenstein.

59. After the vote, statements in explanation of vote were made by the representatives of New Zealand (also on behalf of Australia, Canada, Iceland, Norway and Switzerland) and Mexico, and a statement was made by the representative of Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia).

E. Draft resolution A/C.3/73/L.32

60. At its 46th meeting, on 13 November, the Committee had before it a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/73/L.32), submitted by China and Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries). Subsequently, the Russian Federation joined in sponsoring the draft resolution.

61. At the same meeting, the representative of Cuba, on behalf of the Movement of Non-Aligned Countries, made a statement.

62. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.32 by a recorded vote of 133 to 53, with 3 abstentions (see para. 162, draft resolution V). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan,

Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Democratic Republic of the Congo, Palau.

63. Before the vote, the representative of Cuba made a statement, to which the Chair responded, and a statement in explanation of vote was made by the representative of the United States.

F. Draft resolution A/C.3/73/L.33

64. At its 46th meeting, on 13 November, the Committee had before it a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/73/L.33), submitted by China and Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries). Subsequently, El Salvador, Paraguay and the Russian Federation joined in sponsoring the draft resolution.

65. At the same meeting, the representative of Cuba, on behalf of the Movement of Non-Aligned Countries, made a statement.

66. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.33 (see para. 162, draft resolution VI).

67. After the adoption of the draft resolution, the representative of the United States made a statement.

G. Draft resolution A/C.3/73/L.34

68. At its 45th meeting, on 8 November, the representative of Cuba, on behalf of Bangladesh, Belarus, Bolivia (Plurinational State of), Cuba, the Democratic People's Republic of Korea, Myanmar, Nicaragua, the Russian Federation, Venezuela (Bolivarian Republic of) and Viet Nam, introduced a draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/73/L.34). Subsequently, Algeria, Angola, Burundi, the Comoros, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Guinea, Iran (Islamic Republic of), the Lao People's Democratic Republic, Libya, Madagascar, Mali, Namibia, the Niger, Nigeria, Saint Vincent and the Grenadines, South Africa, South Sudan, Sri Lanka, the Sudan, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania and Zimbabwe joined in sponsoring the draft resolution.

69. At the 46th meeting, on 13 November, the representative of Cuba made a statement and orally revised operative paragraphs 12 and 22 of the draft resolution.[4]

70. At the same meeting, Benin, the Central African Republic, the Dominican Republic, Egypt, Ghana and India joined in sponsoring the draft resolution, as orally revised.

71. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.34, as orally revised, by a recorded vote of 129 to 53, with 8 abstentions (see para. 162, draft resolution VII). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, China, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Brazil, Chile, Colombia, Costa Rica, Liberia, Mexico, Peru.

72. Before the vote, the representative of Cuba made a statement, to which the Chair responded, and statements in explanation of vote were made by the representatives of the United States and Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia).

[4] See A/C.3/73/SR.46.

H. Draft resolution A/C.3/73/L.35

73. At the 45th meeting, on 8 November, the representative of Cuba, on behalf of Belarus, Bolivia (Plurinational State of), Cuba, the Democratic People's Republic of Korea, Nicaragua, the Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe, introduced a draft resolution entitled "Promotion of peace as a vital requ rement for the full enjoyment of all human rights by all" (A/C.3/73/L.35). Subsequently, Algeria, Angola, Burundi, China, the Comoros, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Guinea, Iran (Islamic Republic of), the Lao People's Democratic Republic, Mali, Mozambique, Namibia, the Niger, Nigeria, Saint Vincent and the Grenadines, Seychelles, South Africa, South Sudan, Sri Lanka, the Sudan and the Syrian Arab Republic joined in sponsoring the draft resolution.

74. At the 46th meeting, on 13 November, the representative of Cuba made a statement and orally revised operative paragraph 1 of the draft resolution.[5]

75. At the same meeting, Belize, Benin, the Central African Republic, the Dominican Republic, Egypt, India, Libya, Madagascar, Myanmar and Senegal joined in sponsoring the draft resolution, as orally revised.

76. Also at the same meeting, the Secretary of the Committee made a clarification in connection with the oral revision, to which the representative of Cuba responded.

77. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/73/L.35, as orally revised, by a recorded vote of 134 to 53, with 2 abstentions (see para. 162, draft resolution VIII). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

[5] See A/C.3/73/SR.46.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Liberia, Tonga.

78. Before the vote, the representative of Cuba made a statement, to which the Chair responded, and a statement in explanation of vote was made by the representative of Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, Montenegro, the Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia).

I. Draft resolutions A/C.3/73/L.36 and A/C.3/73/L.36/Rev.1

79. At the 45th meeting, on 8 November, the representative of Cuba, on behalf of Antigua and Barbuda, Bangladesh, Belarus, Bolivia (Plurinational State of), Cabo Verde, China, Cuba, Honduras, Lesotho, Mongolia, Myanmar, Nicaragua, the Russian Federation, Venezuela (Bolivarian Republic of) and Viet Nam, introduced a draft resolution entitled "The right to food" (A/C.3/73/L.36). Subsequently, Algeria, Angola, Benin, Burundi, the Central African Republic, the Comoros, the Congo, Ecuador, Equatorial Guinea, Eritrea, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, the Lao People's Democratic Republic, Libya, Madagascar, Mali, Mozambique, Namibia, the Niger, Nigeria, Panama, the Philippines, Qatar, Saint Vincent and the Grenadines, Senegal, Seychelles, South Africa, South Sudan, Sri Lanka, the Sudan, the Syrian Arab Republic, Tajikistan, Togo, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania and Zambia joined in sponsoring the draft resolution.

80. At its 51st meeting, on 16 November, the Committee had before it a revised draft resolution (A/C.3/73/L.36/Rev.1), submitted by the sponsors of draft resolution A/C.3/73/L.36 and Belize. Subsequently, Afghanistan, Albania, Andorra, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Chad, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, the Dominican Republic, Egypt, Estonia, Ethiopia, Gambia, Germany, Ghana, Greece, Guatemala, Haiti, Hungary, India, Ireland, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Mexico, Monaco, Montenegro, Morocco, Norway, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Thailand, Turkey, Turkmenistan and Yemen joined in sponsoring the draft resolution.

81. At the same meeting, the representative of Cuba made a statement.

82. Also at the same meeting, a statement was made by the representative of Switzerland.

83. Also at its 51st meeting, the Committee adopted draft resolution A/C.3/73/L.36/Rev.1 by a recorded vote of 179 to 2 (see para. 162, draft resolution IX). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

None.

84. Before the vote, the representative of Cuba made a statement, to which the Chair responded, and a statement in explanation of vote was made by the representative of the United States. After the vote, a statement in explanation of vote was made by the representative of Canada, and a statement was made by the representative of Cuba.

J. Draft resolution A/C.3/73/L.39/Rev.1 and amendments thereto contained in documents A/C.3/73/L.62, A/C.3/73/L.63 and A/C.3/73/L.65

85. At its 53rd meeting, on 19 November, the Committee had before it a draft resolution entitled "Extrajudicial, summary or arbitrary executions" (A/C.3/73/L.39/Rev.1), which replaced A/C.3/73/L.39 and was submitted by Albania, Andorra, Australia, Austria, Belgium, Brazil, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom of Great

Britain and Northern Ireland. Subsequently, Argentina, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, the Dominican Republic, Panama, San Marino, Serbia, the former Yugoslav Republic of Macedonia, Uruguay and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

86. At the same meeting, the representatives of Finland (on behalf of the Nordic countries) and Costa Rica made statements.

Action on the amendment contained in document A/C.3/73/L.62

87. At the 53rd meeting, on 19 November, the Chair drew the attention of the Committee to an amendment to draft resolution A/C.3/73/L.39/Rev.1, contained in document A/C.3/73/L.62, submitted by the Sudan.

88. At the same meeting, a statement was made by the representative of the Sudan.

89. Also at the same meeting, the representatives of Austria (on behalf of the European Union), Canada (on behalf of Australia, Liechtenstein, New Zealand and Switzerland) and Finland made statements.

90. Also at the 53rd meeting, the Committee rejected the amendment by a recorded vote of 103 to 21, with 34 abstentions. The voting was as follows:

In favour:

Bahrain, Belarus, Burundi, Cameroon, China, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Iraq, Myanmar, Oman, Pakistan, Russian Federation, Saudi Arabia, South Sudan, Sudan, Syrian Arab Republic, Yemen, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Zambia.

Abstaining:

Algeria, Angola, Bahamas, Bhutan, Brunei Darussalam, Chad, Ethiopia, Fiji, Ghana, India, Indonesia, Israel, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Malaysia, Mauritania, Mauritius, Morocco, Nepal, Qatar, Rwanda, Solomon Islands, Sri Lanka, Togo, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam.

91. Before the vote, the representative of the Sudan made a statement.

Action on the amendment contained in document A/C.3/73/L.63

92. At the 53rd meeting, on 19 November, the Chair drew the attention of the Committee to an amendment to draft resolution A/C.3/73/L.39/Rev.1, contained in document A/C.3/73/L.63, submitted by the Sudan.

93. At the same meeting, the representative of the Sudan made a statement.

94. Also at the same meeting, the Committee rejected the amendment by a recorded vote of 99 to 20, with 38 abstentions. The voting was as follows:

In favour:

Bahrain, Belarus, Burundi, Cameroon, China, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Iraq, Myanmar, Oman, Pakistan, Russian Federation, Saudi Arabia, South Sudan, Sudan, Syrian Arab Republic, Togo, Yemen.

Against:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Zambia.

Abstaining:

Algeria, Angola, Bahamas, Bhutan, Brunei Darussalam, Cambodia, Chad, Ethiopia, Fiji, Ghana, India, Indonesia, Israel, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Malaysia, Mauritania, Mauritius, Morocco, Nepal, Papua New Guinea, Qatar, Rwanda, Singapore, Solomon Islands, Sri Lanka, Thailand, Turkey, Uganda, United Arab Emirates, United States of America, Viet Nam, Zimbabwe.

95. Before the vote, the representative of Austria, on behalf of the European Union, made a statement in explanation of vote.

Action on the amendment contained in document A/C.3/73/L.65

96. At the 53rd meeting, on 19 November, the Chair drew the attention of the Committee to an amendment to draft resolution A/C.3/73/L.39/Rev.1, contained in document A/C.3/73/L.65, submitted by Bangladesh (on behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation).

97. At the same meeting, the representative of Egypt, on behalf of the Organization of Islamic Cooperation, made a statement.

98. Also at the same meeting, the representative of Albania made a statement and withdrew its sponsorship of the amendment.

99. Also at the 53rd meeting, the representative of the United States made a statement.

100. At the same meeting, a statement on a point of order was made by the representative of Finland, on behalf of the Nordic countries, following the withdrawal by Albania of its sponsorship.

101. Also at the same meeting, statements were made by the representatives of Australia (also on behalf of Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland), the United Kingdom and the Syrian Arab Republic.

102. Also at the 53rd meeting, the representatives of Turkey and Tunisia made statements and withdrew their sponsorship of the amendment. Lebanon also withdrew its sponsorship of the amendment.

103. At the same meeting, statements on a point of order were made by the representatives of Algeria, Egypt, the Comoros, Austria, the United States and Bangladesh.

104. Also at the same meeting, the Secretary of the Committee made a clarification regarding the sponsorship of the amendment following the withdrawal of four States members of the Organization of Islamic Cooperation as sponsors of the amendment.

105. Also at the 53rd meeting, the representatives of Austria, Egypt and the United States made statements.

106. At the same meeting, in accordance with rule 113 of the rules of procedure of the General Assembly, the Chair ruled that the Committee would proceed to take action on the amendment sponsored by the countries to be read out by the Secretary of the Committee.

107. Also at the same meeting, Algeria and Jordan withdrew their sponsorship of the amendment.

108. Also at its 53rd meeting, the Committee rejected the amendment by a recorded vote of 86 to 50, with 25 abstentions. The voting was as follows:

In favour:

Afghanistan, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, China, Comoros, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, South Sudan, Sudan, Suriname, Trinidad and Tobago, United Arab Emirates, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia,

Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Algeria, Benin, Bhutan, Cambodia, Côte d'Ivoire, Ethiopia, Fiji, Ghana, Haiti, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Lesotho, Liberia, Mauritius, Namibia, Nepal, Papua New Guinea, Philippines, Rwanda, Solomon Islands, Togo, Uganda, Viet Nam.

109. Before the vote, the representative of Finland, on behalf of the Nordic countries, made a statement in explanation of vote.

110. At the 54th meeting, on 20 November, the Committee continued to consider the amendment to draft resolution A/C.3/73/L.39/Rev.1 contained in document A/C.3/73/L.65, and heard a statement on a point of order by the representative of Egypt, to which the Secretary and the Chair of the Committee responded.

111. At the same meeting, statements in explanation of vote were made by the representatives of Argentina (also on behalf of Brazil, Chile, Colombia, Costa Rica, El Salvador, Mexico and Uruguay) and France, and a statement was made by the Comoros.

112. Also at the same meeting, statements on a point of order were made by Tunisia and Egypt.

Action on draft resolution A/C.3/73/L.39/Rev.1 as a whole

113. At the 54th meeting, on 20 November, the representative of Finland made a statement, to which the Chair responded.

114. At the same meeting, the Committee adopted the draft resolution by a recorded vote of 110 to none, with 67 abstentions (see para. 162, draft resolution X). The voting was as follows:

In favour:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of).

Against:

None.

Abstaining:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, China, Comoros, Democratic

People's Republic of Korea, Djibouti, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, South Sudan, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Togo, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

115. Before the vote, a statement was made by the representative of Finland, and statements in explanation of vote were made by the representatives of Egypt (also on behalf of Afghanistan, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Chad, the Comoros, Côte d'Ivoire, Djibouti, Gabon, the Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kuwait, Kyrgyzstan, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, the Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, the Sudan, Suriname, Tajikistan, Togo, Turkmenistan, Uganda, the United Arab Emirates, Uzbekistan and Yemen), the Comoros and the United States. After the vote, the representative of the Sudan made a statement.

K. Draft resolution A/C.3/73/L.41/Rev.1

116. At its 54th meeting, on 20 November, the Committee had before it a draft resolution entitled "Promotion and protection of human rights and fundamental freedoms, including the rights to peaceful assembly and freedom of association" (A/C.3/73/L.41/Rev.1), which replaced draft resolution A/C.3/73/L.41 and was submitted by Afghanistan, Albania, Australia, Bosnia and Herzegovina, Canada, the Central African Republic, Costa Rica, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Greece, Iceland, Israel, Italy, Japan, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Montenegro, the Netherlands, New Zealand, Paraguay, Poland, Portugal, Qatar, the Republic of Korea, Romania, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Argentina, Armenia, Austria, Belgium, Botswana, Bulgaria, Burkina Faso, Cabo Verde, Cyprus, Equatorial Guinea, Ghana, Guatemala, Honduras, Ireland, Liechtenstein, Maldives, Mexico, Mongolia, Morocco, the Niger, Nigeria, Norway, Panama, the Republic of Moldova, Serbia, Sri Lanka, Switzerland, Tunisia and Uruguay joined in sponsoring the draft resolution.

117. At the same meeting, statements were made by the representatives of the United States, Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, Georgia, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), the Syrian Arab Republic, Ukraine, Argentina and Costa Rica.

118. Also at the 54th meeting, the representative of the United States made a statement on a point of order, to which the Chair responded.

119. At the same meeting, the Committee adopted draft resolution A/C.3/73/L.41/Rev.1 by a recorded vote of 143 to none, with 38 abstentions (see para. 162, draft resolution XI). The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Algeria, Bahrain, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Libya, Malaysia, Mauritania, Myanmar, Nicaragua, Pakistan, Palau, Russian Federation, Saudi Arabia, Singapore, South Sudan, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen.

120. Before the vote, statements were made by the representatives of Canada, Australia and the United States, and statements in explanation of vote were made by the representatives of the Russian Federation, China, Algeria, the Islamic Republic of Iran, the Bolivarian Republic of Venezuela and the Syrian Arab Republic.

121. After the vote, statements in explanation of vote were made by the representatives of South Africa, Iraq, Indonesia, Cuba, Viet Nam, Pakistan, Kuwait and Singapore, and statements were made by the representatives of New Zealand and Nigeria.

L. Draft resolution A/C.3/73/L.43/Rev.1

122. At its 54th meeting, on 20 November, the Committee had before it a draft resolution entitled "Terrorism and human rights" (A/C.3/73/L.43/Rev.1), which replaced draft resolution A/C.3/73/L.43 and was submitted by Belize, Egypt and Mexico.

123. At the same meeting, the representative of Mexico, also on behalf of Egypt, made a statement and orally revised the seventh preambular paragraph and operative paragraphs 4 and 20 of the draft resolution.[6]

124. Also at the same meeting, Albania, Andorra, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Lithuania, Luxembourg, Mali, Malta, Montenegro, the Netherlands, Nigeria, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia and Uruguay joined in sponsoring the draft resolution, as orally revised.

125. Also at the 54th meeting, the representative of the Russian Federation made a statement on the oral revision.

126. At the same meeting, the representative of the United States made a statement and orally proposed an amendment to draft resolution A/C.3/73/L.43/Rev.1, as orally revised, by which operative paragraph 14 would be deleted.

127. Also at the same meeting, the Committee rejected the amendment to the draft resolution, as orally revised, by a recorded vote of 116 to 3, with 28 abstentions. The voting was as follows:

In favour:

Israel, Senegal, United States of America.

Against:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cameroon, Canada, Chile, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Romania, San Marino, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, South Sudan, Spain, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen.

Abstaining:

Belize, Benin, Cambodia, China, Côte d'Ivoire, Djibouti, Equatorial Guinea, Ethiopia, Honduras, India, Iran (Islamic Republic of), Iraq, Kazakhstan, Kenya, Kiribati, Lesotho, Liberia, Mongolia, Nepal, Papua New Guinea, Republic of Korea, Russian Federation, Rwanda, Sao Tome and Principe, Solomon Islands, Sri Lanka, Syrian Arab Republic, Togo.

128. Before the vote, the representative of Mexico made a statement.

[6] See A/C.3/73/SR.54.

129. Also at the 54th meeting, the representative of the Russian Federation made a statement and orally proposed an amendment to operative paragraph 20 of draft resolution A/C.3/73/L.43/Rev.1, as orally revised.[7]

130. At the same meeting, the representatives of Egypt (also on behalf of Mexico), the Russian Federation and Mexico made statements on the amendment to operative paragraph 20 of the draft resolution, as orally revised.

131. Also at the same meeting, the Committee rejected the amendment to operative paragraph 20 of the draft resolution, as orally revised, by a recorded vote of 80 to 23, with 35 abstentions. The voting was as follows:[8]

In favour:

Afghanistan, Belarus, Burundi, China, Democratic People's Republic of Korea, Guyana, India, Iran (Islamic Republic of), Iraq, Kazakhstan, Myanmar, Nicaragua, Nigeria, Russian Federation, Rwanda, South Sudan, Sudan, Syrian Arab Republic, Tajikistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahrain, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

Abstaining:

Angola, Bangladesh, Barbados, Benin, Bhutan, Brunei Darussalam, Cambodia, Cameroon, Chile, Djibouti, Equatorial Guinea, Ethiopia, Fiji, Ghana, Honduras, Indonesia, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Malaysia, Mali, Mongolia, Mozambique, Namibia, Nepal, Pakistan, Papua New Guinea, Samoa, Senegal, Singapore, Solomon Islands, Sri Lanka, Thailand.

132. Before the vote, statements were made by the representatives of the Russian Federation and Pakistan. After the vote, statements in explanation of vote were made by the representatives of Algeria and the Sudan.

Action on draft resolution A/C.3/73/L.43/Rev.1, as orally revised, as a whole

133. At the 54th meeting, on 20 November, the Committee adopted draft resolution A/C.3/73/L.43/Rev.1, as orally revised (see para. 162, draft resolution XII).

134. Before the adoption of the draft resolution, as orally revised, statements were made by the representatives of Austria (on behalf of the European Union and Albania, Bosnia and Herzegovina, Montenegro and the former Yugoslav Republic of Macedonia), Canada (also on behalf of Iceland, Liechtenstein, New Zealand and

[7] See A/C.3/73/SR.54.

[8] The delegation of Algeria subsequently indicated that, had it been present, it would have abstained.

Switzerland), Senegal and the Russian Federation. After the adoption, the representative of the United States made a statement.

M. Draft resolution A/C.3/73/L.44 and amendment thereto contained in document A/C.3/73/L.57

135. At its 46th meeting, on 13 November, the Committee had before it a draft resolution entitled "Moratorium on the use of the death penalty" (A/C.3/73/L.44), submitted by Albania, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, the Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Tuvalu, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Andorra, Burkina Faso, Cabo Verde, the Central African Republic, Colombia, Côte d'Ivoire, Dominica, the Dominican Republic, Eritrea, Gabon, Israel, Madagascar, Micronesia (Federated States of Federated States of), Panama, Samoa, San Marino, Sao Tome and Principe, the former Yugoslav Republic of Macedonia, Togo and Uruguay joined in sponsoring the draft resolution.

136. At the same meeting, the representative of Brazil made a statement.

Action on the amendment contained in document A/C.3/73/L.57

137. At the 46th meeting, on 13 November, the Chair drew the attention of the Committee to an amendment to draft resolution A/C.3/73/L.44, contained in document A/C.3/73/L.57, submitted by Bahrain, Bangladesh, Belize, Botswana, Brunei Darussalam, Burundi, Chad, China, the Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Jamaica, Kuwait, the Lao People's Democratic Republic, Libya, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Somalia, the United Arab Emirates, Viet Nam, Yemen and Zimbabwe. Subsequently, Malaysia, Palau, Saint Lucia, the Sudan, the Syrian Arab Republic and Uganda joined in sponsoring the amendment.

138. At the same meeting, the representatives of Singapore, Brazil and Egypt made statements.

139. Also at the same meeting, the Committee adopted the amendment by a recorded vote of 96 to 73, with 14 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chad, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Myanmar, Namibia, Nauru, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines,

Saudi Arabia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu.

Abstaining:

Central African Republic, Djibouti, Dominica, Eswatini, Guatemala, Guinea, Lebanon, Liberia, Mozambique, Nepal, Republic of Korea, Samoa, Sri Lanka, Togo.

140. Before the vote, a statement was made by the representative of Botswana, and statements in explanation of vote were made by the representatives of Argentina, Austria (on behalf of the European Union) and Canada.

141. At its 47th meeting, on 13 November, the Committee continued its consideration of draft resolution A/C.3/73/L.44 and the amendment thereto contained in document A/C.3/73/L.57 and heard a statement on a point of order by the representative of Brazil, to which the Chair and the Secretary of the Committee responded.

142. At the same meeting, the representatives of Chile, El Salvador, Rwanda, the Philippines and Albania made statements in explanation of vote, and statements were also made by the representatives of the Sudan and Saudi Arabia.

Action on draft resolution A/C.3/73/L.44, as amended, as a whole

143. At the 47th meeting, on 13 November, Guinea-Bissau joined in sponsoring the draft resolution, as amended.

144. At the same meeting, the Committee adopted draft resolution A/C.3/73/L.44, as amended, by a recorded vote of 123 to 36, with 30 abstentions (see para. 162, draft resolution XIII). The voting was as follows:

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Mexico,

Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of).

Against:

Afghanistan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Egypt, Ethiopia, Grenada, Guyana, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Libya, Maldives, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Syrian Arab Republic, Trinidad and Tobago, United States of America, Yemen.

Abstaining:

Antigua and Barbuda, Belarus, Cameroon, Comoros, Cuba, Djibouti, Ghana, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Mauritania, Morocco, Myanmar, Niger, Nigeria, Philippines, Republic of Korea, Suriname, Thailand, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

145. Before the vote on the draft resolution, as amended, statements were made by the representatives of Singapore and Canada (also on behalf of Australia, Iceland and Norway), and statements in explanation of vote were made by the representatives of Papua New Guinea and Equatorial Guinea. After the vote, the representatives of Egypt, India, Viet Nam, Indonesia, Japan, the Islamic Republic of Iran, Myanmar, the United States and the Democratic Republic of the Congo made statements in explanation of vote, and statements were also made by the representatives of Mexico, New Zealand (also on behalf of Liechtenstein and Switzerland) and Austria (on behalf of the European Union).

N. Draft resolution A/C.3/73/L.45

146. At its 44th meeting, on 6 November, the Committee had before it a draft resolution entitled "Freedom of religion or belief" (A/C.3/73/L.45), submitted by Albania, Armenia, Australia, Austria, Belgium, Bulgaria, Chile, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Angola, Argentina, Bosnia and Herzegovina, Brazil, Cabo Verde, Canada, Colombia, Costa Rica, Côte d'Ivoire, the Dominican Republic, El Salvador, Guatemala, Guinea, Guinea-Bissau, Haiti, Iceland, Israel, Lesotho, Liberia, Madagascar, Monaco, New Zealand, Nigeria, Palau, Panama, Papua New Guinea, Peru, the Philippines, the Republic of Korea, the Republic of Moldova, San Marino, Sao Tome and Principe, Serbia, South Sudan, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine and Uruguay joined in sponsoring the draft resolution.

147. At the same meeting, the representative of Austria, on behalf of the European Union, made a statement.

148. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.45 (see para. 162, draft resolution XIV).

149. Before the adoption of the draft resolution, the representative of Egypt, on behalf of the Organization of Islamic Cooperation, made a statement.

O. Draft resolution A/C.3/73/L.46

150. At its 45th meeting, on 8 November, the Committee had before it a draft resolution entitled "Human rights in the administration of justice" (A/C.3/73/L.46), submitted by Australia, Austria, Belgium, Brazil, Chile, Costa Rica, Cyprus, Czechia, Denmark, Estonia, Germany, Hungary, Liechtenstein, Malta, Paraguay, Poland, Slovenia, Spain, Sweden, Switzerland and Ukraine. Subsequently, Albania, Andorra, Argentina, Armenia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, the Dominican Republic, Ecuador, El Salvador, Finland, France, Georgia, Greece, Guatemala, Honduras, Iceland, India, Ireland, Israel, Italy, Latvia, Lebanon, Lithuania, Luxembourg, Mexico, Monaco, Mongolia, Morocco, the Netherlands, New Zealand, Norway, Panama, Peru, the Philippines, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Serbia, Slovakia, South Africa, Thailand, the former Yugoslav Republic of Macedonia, Uruguay and Vanuatu joined in sponsoring the draft resolution.

151. At the same meeting, the representative of Austria made a statement.

152. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.46 (see para. 162, draft resolution XV).

153. Before the adoption of the draft resolution, the representative of the United States made a statement.

P. Draft resolution A/C.3/73/L.47/Rev.1

154. At its 51st meeting, on 16 November, the Committee had before it a draft resolution entitled "Missing persons" (A/C.3/73/L.47/Rev.1), which replaced draft resolution A/C.3/73/L.47 and was submitted by Azerbaijan, Belarus, Brazil, Chile, Djibouti, Kazakhstan and Paraguay. Subsequently, Afghanistan, Albania, Andorra, Argentina, Armenia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, El Salvador, Equatorial Guinea, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Hungary, Italy, Japan, Kiribati, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Morocco, the Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tajikistan, Tunisia, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

155. At the same meeting, the representative of Azerbaijan made a statement.

156. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.47/Rev.1 (see para. 162, draft resolution XVI).

157. Before the adoption of the draft resolution, a statement was made by the representative of Armenia. After the adoption, a statement was made by the representative of the United States.

Q. Draft resolution A/C.3/73/L.49/Rev.1

158. At its 54th meeting, on 20 November, the Committee had before it a draft resolution entitled "The right to privacy in the digital age" (A/C.3/73/L.49/Rev.1), which replaced draft resolution A/C.3/73/L.49 and was submitted by Austria, Belgium, Belize, Brazil, Chile, Croatia, Cyprus, Czechia, Ecuador, Eritrea, Finland, Georgia, Germany, Honduras, Hungary, Lesotho, Liechtenstein, Luxembourg, Mexico, Montenegro, Morocco, the Netherlands, Paraguay, Slovenia, Spain and Switzerland. Subsequently, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Bosnia and Herzegovina, Bulgaria, Costa Rica, Denmark, the Dominican Republic, El Salvador, Estonia, France, Ghana, Greece, Guatemala, Iceland, Ireland, Italy, Latvia, Lebanon, Lithuania, Malta, Norway, Panama, Peru, Poland, Portugal, Romania, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Serbia, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine and Uruguay joined in sponsoring the draft resolution.

159. At the same meeting, the representative of Brazil made a statement.

160. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.49/Rev.1 (see para. 162, draft resolution XVII).

161. After the adoption of the draft resolution, statements were made by the representatives of China and the United States.

III. Recommendations of the Third Committee

162. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Human rights and extreme poverty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child,[5] the Convention on the Rights of Persons with Disabilities[6] and all other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, as well as its resolution 71/186 of 19 December 2016 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and an obstacle to the fulfilment of all human rights and that urgent national and international action was therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Recalling further Human Rights Council resolutions 2/2 of 27 November 2006,[7] 7/27 of 28 March 2008,[8] 8/11 of 18 June 2008,[9] 12/19 of 2 October 2009,[10] 15/19 of 30 September 2010,[11] 17/13 of 17 June 2011,[12] 26/3 of 26 June 2014[13] and 35/19 of 11 July 2017[14] on human rights and extreme poverty, and in this regard underlining the imperative need for their full and effective implementation,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 660, No. 9464.
[4] Ibid., vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.
[6] Ibid., vol. 2515, No. 44910.
[7] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. A.
[8] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.
[9] Ibid., chap. III, sect. A.
[10] Ibid., *Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1), chap. I, sect. A.
[11] Ibid., *Supplement No. 53A* (A/65/53/Add.1), chap. II.
[12] Ibid., *Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.
[13] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.
[14] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. V, sect. A.

Recalling Human Rights Council resolution 21/11 of 27 September 2012,[15] by which the Council adopted the guiding principles on extreme poverty and human rights[16] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate, and encouraging States to implement the guiding principles,

Reaffirming its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, and its commitment to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner,

Recalling that the Sustainable Development Goals and targets seek to build on the Millennium Development Goals and complete what they did not achieve, and that they seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls,

Reaffirming its resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

Concerned that, during the Second United Nations Decade for the Eradication of Poverty (2008–2017), while there was progress in reducing poverty, especially in some middle-income countries, such progress has been uneven and the number of people living in poverty in some countries continues to increase, with women, children and older persons, as well as other persons in vulnerable situations, constituting the majority of those most affected, especially in the least developed countries and particularly in sub-Saharan Africa,

Reaffirming the Vienna Declaration and Programme of Action,[17] which states the right to development, as established in the Declaration on the Right to Development,[18] as a universal and inalienable right and an integral part of fundamental human rights,

Acknowledging the significant progress made in several parts of the world in combating extreme poverty, however, deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and is particularly severe in developing countries, and that it extends to and manifests itself in, among other things, social exclusion, hunger, vulnerability to trafficking in persons and disease, lack of adequate shelter, lack of access to basic services, illiteracy and hopelessness,

Remaining deeply concerned that progress has been uneven, inequality has increased, 1.6 billion people still live in multidimensional poverty, the total number of persons living in extreme poverty remains unacceptably high and the non-income

[15] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.
[16] A/HRC/21/39.
[17] A/CONF.157/24 (Part I), chap. III.
[18] Resolution 41/128, annex.

dimensions of poverty and deprivation, such as access to quality education or basic health services, and relative poverty remain major concerns,

Deeply concerned that gender inequality, gender-based violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls, recognizing the important role and contribution of women and girls in eradicating poverty, and acknowledging the mutually reinforcing links between the achievement of gender equality and the empowerment of all women and girls and the eradication of poverty in all its forms and dimensions, including extreme poverty,

Recognizing the importance of supporting countries in their efforts to eradicate poverty in all its forms and dimensions, including extreme poverty, and to promote the empowerment of the poor and of people in vulnerable situations, including women, children, young people, indigenous peoples, local communities, older persons, persons with disabilities, migrants, refugees, internally displaced persons, persons belonging to national, ethnic, religious and linguistic minorities and people of African descent,

Concerned by the challenges faced today, including those derived from the ongoing impact of the financial and economic crisis, food insecurity, volatile food prices and other ongoing concerns over global food security, epidemics and large movements of refugees and migrants, as well as the increasing challenges posed by climate change and the loss of biodiversity, and by the resulting increase in the number of people living in extreme poverty, and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Bearing in mind that, in order to break the cycle of intergenerational poverty and vulnerability, promote the well-being of all persons of all ages, boost development efforts, contribute to better outcomes for children and address the feminization of poverty, positive action needs to be taken, including in the form of policies, at the national and international levels, that address existing inequalities in the distribution of services, resources and infrastructure, as well as access to food, health care, education and decent work in cities and other human settlements,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization that requires the coordination and continuation of inclusive policies through decisive national action and international cooperation, and also recognizing in this context the role of the private sector, including the corporate sector, in the eradication of extreme poverty,

Recognizing also that social protection systems make a critical contribution to the realization of human rights for all, in particular for those who are in vulnerable or marginalized situations and are trapped in poverty and subject to discrimination,

Recognizing further that persistent and growing inequalities within and among countries are a major challenge to poverty eradication, particularly affecting those who are living in extreme poverty and in vulnerable situations,

Stressing the necessity of better understanding and addressing the multidimensional causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of all human rights and may, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Underlining the priority and urgency given by Heads of State and Government to the eradication of extreme poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and that they contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty, deep inequality and exclusion constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty and exclusion and that it is essential for people living in and affected by poverty and in situations of vulnerability to be empowered to organize themselves and to participate in all aspects of political, economic, social, cultural and civic life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, the United Nations system and international financial institutions, the private sector, including the corporate sector, civil society and community-based social organizations, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Also emphasizes* the need to accord due consideration and priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and systemic challenges of poverty through integrated, coordinated and coherent strategies at the national, intergovernmental and inter agency levels, consistent with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

5. *Reaffirms* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, renders democracy and popular participation fragile and can also create barriers to full and effective participation in political and public life, in particular for women and girls;

6. *Recognizes* the need to respect and to realize human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

7. *Reaffirms* the commitments contained in the 2030 Agenda for Sustainable Development,[19] in particular to leave no one behind, to reach the furthest behind and the most vulnerable and to achieve Sustainable Development Goal 1, including by sparing no effort to fight against and eradicate extreme poverty, which is currently measured as people living on less than 1.25 United States dollars a day, for all people everywhere by 2030;

8. *Also reaffirms* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[20]

9. *Recalls* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and

[19] Resolution 70/1.

[20] See resolution 60/1.

achieving further development gains and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Sustainable Development Goals, and in this regard takes note of the Social Protection Floors Recommendation, 2012 (No. 202), of the International Labour Organization;

10. *Encourages* States, when designing, implementing, monitoring and evaluating social protection programmes, to ensure gender mainstreaming and the promotion and protection of all human rights in accordance with their obligations under international human rights law, throughout this process;

11. *Calls upon* States to implement gender-responsive social protection policies, as well as fiscal policies that contribute to promoting gender equality and the empowerment of all women and girls by, inter alia, facilitating greater access to and inclusion in social protection and financial and business services, including credit, for women, in particular women heads of household;

12. *Encourages* States to take all necessary measures to eliminate discrimination against all persons, in particular those living in poverty, to refrain from adopting any laws, regulations or practices denying or limiting the enjoyment of all human rights and fundamental freedoms, including economic, social and cultural rights, and to ensure that people, in particular those living in poverty, have equal access to justice;

13. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, recognizing their contributions to the efforts of developing countries to collaborate in the eradication of poverty, and stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation;

14. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those derived from the ongoing impact of the financial and economic crisis, food insecurity, volatile food prices and other ongoing concerns over global food security, epidemics and the increasing challenges posed by climate change and the loss of biodiversity in all parts of the world, especially in developing countries, by enhancing cooperation to help to build national capacities;

15. *Reaffirms* the critical role of quality education and lifelong learning for all in achieving poverty eradication and other development goals, as envisaged in the 2030 Agenda, in particular free, equitable and quality primary and secondary education and training for eradicating illiteracy, efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, also reaffirms in this context the Dakar Framework for Action, adopted at the World Education Forum on 28 April 2000,[21] and the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all, adopted at the World Education Forum 2015, and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as tools for achieving Sustainable Development Goal 4 by 2030;

16. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme

[21] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

poverty and human rights, and also invites her Office to pursue further work in this area;

17. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations, to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector, including the corporate sector, and international financial institutions to proceed likewise;

18. *Takes note with appreciation* of the guiding principles on extreme poverty and human rights,[16] adopted by the Human Rights Council in its resolution 21/11,[15] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate;

19. *Encourages* Governments, relevant United Nations bodies, funds and programmes and the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations and non-State actors, and the private sector, including the corporate sector, to consider the guiding principles in the formulation and implementation of their policies and measures concerning persons affected by extreme poverty;

20. *Requests* the Office of the United Nations High Commissioner for Human Rights to disseminate the guiding principles, as appropriate;

21. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the 2030 Agenda and the Sustainable Development Goals set out therein into their work;

22. *Takes note* of the work undertaken by the Special Rapporteur of the Human Rights Council on extreme poverty and human rights, including his report submitted to the General Assembly at its seventy-second session[22] and his report submitted to the Assembly at its seventy-third session,[23] and also notes the work of the Secretary-General to address the issues referred to therein;

23. *Decides* to consider the question further at its seventy-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

[22] A/72/502.
[23] A/73/396.

Draft resolution II
Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

The General Assembly,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Welcoming Human Rights Council resolutions 16/18 of 24 March 2011,[1] 19/25 of 23 March 2012,[2] 22/31 of 22 March 2013,[3] 28/29 of 27 March 2015,[4] 31/26 of 24 March 2016,[5] 34/32 of 24 March 2017[6] and 37/38 of 23 March 2018,[7] and General Assembly resolutions 67/178 of 20 December 2012, 68/169 of 18 December 2013, 69/174 of 18 December 2014, 70/157 of 17 December 2015, 71/195 of 19 December 2016 and 72/176 of 19 December 2017,

Reaffirming the obligation of States to prohibit discrimination and violence on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming further that the International Covenant on Civil and Political Rights[8] provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of one's choice and freedom, either alone or in community with others and in public or private, and to manifest one's religion or belief in worship, observance, practice and teaching,

Reaffirming the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance, and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights,

Expressing deep concern at those acts that advocate religious hatred and thereby undermine the spirit of tolerance and respect for diversity,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. II, sect. A.

[2] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and A/67/53/Corr.1), chap. III, sect. A.

[3] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[4] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

[5] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.

[6] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.

[7] Ibid., *Seventy-third Session, Supplement No. 53* (A/73/53), chap. VI, sect. A.

[8] See resolution 2200 A (XXI), annex.

Condemning the criminal acts committed by terrorist and extremist groups and movements against persons based on their religion or belief, and deeply regretting attempts to link such acts to any one specific religion or belief,

Reaffirming that violence can never be an acceptable response to acts of intolerance on the basis of religion or belief,

Recalling its adoption of resolutions 69/140 of 15 December 2014, 70/19 of 3 December 2015, 71/249 of 22 December 2016 and 72/136 of 11 December 2017 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, 69/312 of 6 July 2015 on the United Nations Alliance of Civilizations and 67/104 of 17 December 2012, in which the General Assembly proclaimed the period 2013–2022 as the International Decade for the Rapprochement of Cultures,

Deeply concerned about continuing incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploring any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Strongly deploring also all attacks on and in religious places, sites and shrines, which are in violation of international law, in particular human rights law and international humanitarian law, including any deliberate destruction of relics and monuments,

Deeply concerned about the prevalence of impunity in some instances, and the lack of accountability in some cases, in addressing violence against persons on the basis of religion or belief in public and private spheres, and stressing the importance of making the necessary efforts to raise awareness to address the spread of hate speech against persons on the basis of religion or belief,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief, in particular actions that seek to prevent their exercise and full enjoyment of freedom of religion or belief,

Expressing deep concern at the instances of intolerance and discrimination and acts of violence occurring in the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Expressing concern at the growing manifestations of intolerance based on religion or belief, which can generate hatred and violence among individuals from and within different nations and which may have serious implications at the national, regional and international levels, and in this regard emphasizing the importance of respect for religious and cultural diversity, as well as interreligious, interfaith and intercultural dialogue aimed at promoting a culture of tolerance and respect among individuals, societies and nations,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Underlining the fact that States, regional organizations, national human rights institutions, non-governmental organizations, religious bodies and the media have an

important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining also the importance of raising awareness about different cultures and religions or beliefs and of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for religious and cultural diversity, including with regard to religious expression, and underlining further the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Underlining further that educational measures, youth forums, strategic plans and public information and media campaigns, including online platforms, may contribute in a meaningful way to promoting tolerance and the elimination of negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief,

Recognizing that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increasing interreligious, interfaith and intercultural efforts and expanding human rights education are important first steps in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

Recalling its resolution 72/241, entitled "A world against violence and violent extremism", adopted by consensus on 20 December 2017, welcoming the leading role of the United Nations Educational, Scientific and Cultural Organization in promoting intercultural dialogue, the work of the United Nations Alliance of Civilizations, the work of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures in Alexandria, Egypt, and the work of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna, and recalling also its resolution 65/5 of 20 October 2010 on World Interfaith Harmony Week, proposed by King Abdullah II of Jordan,

Welcoming in this regard all international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, noting the initiative of the Special Adviser to the Secretary-General on the Prevention of Genocide on the role of religious leaders in preventing incitement that could lead to atrocity crimes and the declaration of its forum held in Fez, Morocco, on 23 and 24 April 2015, the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, the announcement on 6 October 2016 of the establishment by the United Arab Emirates of the International Institute for Tolerance for promoting the value of tolerance among nations, the Amman Declaration on Youth, Peace and Security adopted on 22 August 2015 and the fifth Congress of Leaders of World and Traditional Religions, held in Astana on 10 and 11 June 2015, and taking note of the initiative of the Office of the United Nations High Commissioner for Human Rights and its outcome document, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,[9]

Taking note with appreciation of the continuation of the organization of workshops and meetings within the framework of the Istanbul Process and the promotion of effective implementation of Human Rights Council resolution 16/18 to counter global violence, religious discrimination and intolerance, in particular the sixth implementation meeting of the Process, hosted by Singapore on 20 and 21 July 2016,

[9] A/HRC/22/17/Add.4, appendix.

1. *Takes note* of the report of the Secretary-General;[10]

2. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist individuals, organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

3. *Expresses concern* that the number of incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continues to rise around the world, which may have serious implications at the national, regional and international levels, condemns, in this context, any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution and consistent with their obligations under international human rights law, to address and combat such incidents;

4. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

5. *Recognizes* that the open public debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national and international levels, can be among the best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and expresses its conviction that a continuing dialogue on these issues can help to overcome existing misperceptions;

6. *Also recognizes* the strong need for global awareness about the possible serious implications of incitement to discrimination and violence, which may have serious implications at the national, regional and international levels, and urges all Member States to make renewed efforts to develop educational systems that promote all human rights and fundamental freedoms that enhance tolerance for religious and cultural diversity, which is fundamental to promoting tolerant, peaceful and harmonious multicultural societies;

7. *Calls upon* all States to take the following actions, as called for by the Secretary-General of the Organization of Islamic Cooperation, to foster a domestic environment of religious tolerance, peace and respect by:

(a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation;

(c) Encouraging the training of government officials in effective outreach strategies;

(d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination and developing strategies to counter those causes;

(e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

[10] A/73/153.

(f) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(g) Understanding the need to combat denigration and the negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-raising;

(h) Recognizing that the open, constructive and respectful debate of ideas, as well as inter-religious, interfaith and intercultural dialogue, at the local, national, regional and international levels, can play a positive role in combating religious hatred, incitement and violence;

8. *Also calls upon* all States:

(a) To take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of religion or belief;

(b) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society;

(c) To encourage the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society;

(d) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questioning, searches and other investigative law enforcement procedures;

9. *Further calls upon* all States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and to take protective measures in cases where they are vulnerable to vandalism or destruction;

10. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs;

11. *Encourages* all States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights, and in this respect requests the United Nations High Commissioner for Human Rights to include those updates in his reports to the Human Rights Council;

12. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report that includes information provided by the High Commissioner on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the present resolution.

Draft resolution III
United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas

The General Assembly,

Welcoming the adoption by the Human Rights Council, in its resolution 39/12 of 28 September 2018,[1] of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas,

1. *Adopts* the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, as contained in the annex to the present resolution;

2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof;

3. *Requests* the Secretary-General to include the text of the Declaration in the next edition of *Human Rights: A Compilation of International Instruments*.

Annex
United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas

The General Assembly,

Recalling the principles proclaimed in the Charter of the United Nations, which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Taking into account the principles proclaimed in the Universal Declaration of Human Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[7] relevant conventions of the International Labour Organization and other relevant international instruments that have been adopted at the universal or regional level,

Reaffirming the Declaration on the Right to Development,[8] and that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized,

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[1] See *Official Records of the General Assembly, Seventy-third Session, Supplement No. 53A* (A/73/53/Add.1), chap. II.

[2] Resolution 217 A (III).

[3] United Nations, *Treaty Series*, vol. 660, No. 9464.

[4] Resolution 2200 A (XXI), annex.

[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[6] Ibid., vol. 1577, No. 27531.

[7] Ibid., vol. 2220, No. 39481.

[8] Resolution 41/128, annex.

Reaffirming also the United Nations Declaration on the Rights of Indigenous Peoples,[9]

Reaffirming further that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recognizing the special relationship and interaction between peasants and other people working in rural areas and the land, water and nature to which they are attached and on which they depend for their livelihood,

Recognizing also the past, present and future contributions of peasants and other people working in rural areas in all regions of the world to development and to conserving and improving biodiversity, which constitute the basis of food and agricultural production throughout the world, and their contribution in ensuring the right to adequate food and food security, which are fundamental to attaining the internationally agreed development goals, including the 2030 Agenda for Sustainable Development,[10]

Concerned that peasants and other people working in rural areas suffer disproportionately from poverty, hunger and malnutrition,

Concerned also that peasants and other people working in rural areas suffer from the burdens caused by environmental degradation and climate change,

Concerned further about peasants ageing around the world and youth increasingly migrating to urban areas and turning their backs on agriculture owing to the lack of incentives and the drudgery of rural life, and recognizing the need to improve the economic diversification of rural areas and the creation of non-farm opportunities, especially for rural youth,

Alarmed by the increasing number of peasants and other people working in rural areas forcibly evicted or displaced every year,

Alarmed also by the high incidence of suicide of peasants in several countries,

Stressing that peasant women and other rural women play a significant role in the economic survival of their families and in contributing to the rural and national economy, including through their work in the non-monetized sectors of the economy, but are often denied tenure and ownership of land, equal access to land, productive resources, financial services, information, employment or social protection, and are often victims of violence and discrimination in a variety of forms and manifestations,

Stressing also the importance of promoting and protecting the rights of the child in rural areas, including through the eradication of poverty, hunger and malnutrition, the promotion of quality education and health, protection from exposure to chemicals and wastes, and the elimination of child labour, in accordance with relevant human rights obligations,

Stressing further that several factors make it difficult for peasants and other people working in rural areas, including small-scale fishers and fish workers, pastoralists, foresters and other local communities, to make their voices heard, to defend their human rights and tenure rights, and to secure the sustainable use of the natural resources on which they depend,

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[9] Resolution 61/295, annex.

[10] Resolution 70/1.

Recognizing that access to land, water, seeds and other natural resources is an increasing challenge for rural people, and stressing the importance of improving access to productive resources and investment in appropriate rural development,

Convinced that peasants and other people working in rural areas should be supported in their efforts to promote and undertake sustainable practices of agricultural production that support and are in harmony with nature, also referred to as Mother Earth in a number of countries and regions, including by respecting the biological and natural ability of ecosystems to adapt and regenerate through natural processes and cycles,

Considering the hazardous and exploitative conditions that exist in many parts of the world under which many peasants and other people working in rural areas have to work, often denied the opportunity to exercise their fundamental rights at work and lacking living wages and social protection,

Concerned that individuals, groups and institutions that promote and protect the human rights of those working on land and natural resources issues face a high risk of being subjected to different forms of intimidation and of violations of their physical integrity,

Noting that peasants and other people working in rural areas often face difficulties in gaining access to courts, police officers, prosecutors and lawyers to the extent that they are unable to seek immediate redress or protection from violence, abuse and exploitation,

Concerned about speculation on food products, the increasing concentration and unbalanced distribution of food systems and the uneven power relations along the value chains, which impair the enjoyment of human rights,

Reaffirming that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized,

Recalling the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights,[4] full and complete sovereignty over all their natural wealth and resources,

Recognizing that the concept of food sovereignty has been used in many States and regions to designate the right to define their food and agriculture systems and the right to healthy and culturally appropriate food produced through ecologically sound and sustainable methods that respect human rights,

Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Declaration and in national law,

Reaffirming the importance of respecting the diversity of cultures and of promoting tolerance, dialogue and cooperation,

Recalling the extensive body of conventions and recommendations of the International Labour Organization on labour protection and decent work,

Recalling also the Convention on Biological Diversity [11] and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity,[12]

Recalling further the extensive work of the Food and Agriculture Organization of the United Nations and the Committee on World Food Security on the right to food, tenure rights, access to natural resources and other rights of peasants, in particular the International Treaty on Plant Genetic Resources for Food and Agriculture,[13] and the Organization's Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security,[14] the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication and the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security,[15]

Recalling the outcome of the World Conference on Agrarian Reform and Rural Development, and the Peasants' Charter adopted thereat, in which the need for the formulation of appropriate national strategies for agrarian reform and rural development, and their integration with overall national development strategies, was emphasized,

Reaffirming that the present Declaration and relevant international agreements shall be mutually supportive with a view to enhancing the protection of human rights,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Convinced of the need for greater protection of the human rights of peasants and other people working in rural areas, and for a coherent interpretation and application of existing international human rights norms and standards in this matter,

Declares the following:

Article 1

1. For the purposes of the present Declaration, a peasant is any person who engages or who seeks to engage alone, or in association with others or as a community, in small-scale agricultural production for subsistence and/or for the market, and who relies significantly, though not necessarily exclusively, on family or household labour and other non-monetized ways of organizing labour, and who has a special dependency on and attachment to the land.

2. The present Declaration applies to any person engaged in artisanal or small-scale agriculture, crop planting, livestock raising, pastoralism, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area. It also applies to dependent family members of peasants.

3. The present Declaration also applies to indigenous peoples and local communities working on the land, transhumant, nomadic and semi-nomadic communities, and the landless engaged in the above-mentioned activities.

[11] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[12] United Nations Environment Programme, document UNEP/CBD/COP/10/27, annex, decision X/1.

[13] United Nations, *Treaty Series*, vol. 2400, No. 43345.

[14] Food and Agriculture Organization of the United Nations, document CL 144/9 (C 2013/20), appendix D.

[15] E/CN.4/2005/131, annex.

4. The present Declaration further applies to hired workers, including all migrant workers regardless of their migration status, and seasonal workers, on plantations, agricultural farms, forests and farms in aquaculture and in agro-industrial enterprises.

Article 2

1. States shall respect, protect and fulfil the rights of peasants and other people working in rural areas. They shall promptly take legislative, administrative and other appropriate steps to achieve progressively the full realization of the rights of the present Declaration that cannot be immediately guaranteed.

2. Particular attention shall be paid in the implementation of the present Declaration to the rights and special needs of peasants and other people working in rural areas, including older persons, women, youth, children and persons with disabilities, taking into account the need to address multiple forms of discrimination.

3. Without disregarding specific legislation on indigenous peoples, before adopting and implementing legislation and policies, international agreements and other decision-making processes that may affect the rights of peasants and other people working in rural areas, States shall consult and cooperate in good faith with peasants and other people working in rural areas through their own representative institutions, engaging with and seeking the support of peasants and other people working in rural areas who could be affected by decisions before those decisions are made, and responding to their contributions, taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.

4. States shall elaborate, interpret and apply relevant international agreements and standards to which they are a party in a manner consistent with their human rights obligations as applicable to peasants and other people working in rural areas.

5. States shall take all necessary measures to ensure that non-State actors that they are in a position to regulate, such as private individuals and organizations, and transnational corporations and other business enterprises, respect and strengthen the rights of peasants and other people working in rural areas.

6. States, recognizing the importance of international cooperation in support of national efforts for the realization of the purposes and objectives of the present Declaration, shall take appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of peasants and other people working in rural areas, among others. Such measures could include:

(a) Ensuring that relevant international cooperation, including international development programmes, is inclusive, accessible and pertinent to peasants and other people working in rural areas;

(b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;

(c) Facilitating cooperation in research and in access to scientific and technical knowledge;

(d) Providing, as appropriate, technical and economic assistance, facilitating access to and sharing of accessible technologies, and through the transfer of technologies, particularly to developing countries, on mutually agreed terms;

(e) Improving the functioning of markets at the global level and facilitating timely access to market information, including on food reserves, in order to help to limit extreme food price volatility and the attractiveness of speculation.

Article 3

1. Peasants and other people working in rural areas have the right to the full enjoyment of all human rights and fundamental freedoms recognized in the Charter of the United Nations, the Universal Declaration of Human Rights[2] and all other international human rights instruments, free from any kind of discrimination in the exercise of their rights based on any grounds such as origin, nationality, race, colour, descent, sex, language, culture, marital status, property, disability, age, political or other opinion, religion, birth or economic, social or other status.

2. Peasants and other people working in rural areas have the right to determine and develop priorities and strategies to exercise their right to development.

3. States shall take appropriate measures to eliminate conditions that cause or help to perpetuate discrimination, including multiple and intersecting forms of discrimination, against peasants and people working in rural areas.

Article 4

1. States shall take all appropriate measures to eliminate all forms of discrimination against peasant women and other women working in rural areas and to promote their empowerment in order to ensure, on the basis of equality between men and women, that they fully and equally enjoy all human rights and fundamental freedoms and that they are able to freely pursue, participate in and benefit from rural economic, social, political and cultural development.

2. States shall ensure that peasant women and other women working in rural areas enjoy without discrimination all the human rights and fundamental freedoms set out in the present Declaration and in other international human rights instruments, including the rights:

(a) To participate equally and effectively in the formulation and implementation of development planning at all levels;

(b) To have equal access to the highest attainable standard of physical and mental health, including adequate health-care facilities, information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To receive all types of training and education, whether formal or non-formal, including training and education relating to functional literacy, and to benefit from all community and extension services in order to increase their technical proficiency;

(e) To organize self-help groups, associations and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have equal access to financial services, agricultural credit and loans, marketing facilities and appropriate technology;

(h) To equal access to, use of and management of land and natural resources, and to equal or priority treatment in land and agrarian reform and in land resettlement schemes;

(i) To decent employment, equal remuneration and social protection benefits, and to have access to income-generating activities;

(j) To be free from all forms of violence.

Article 5

1. Peasants and other people working in rural areas have the right to have access to and to use in a sustainable manner the natural resources present in their communities that are required to enjoy adequate living conditions, in accordance with article 28 of the present Declaration. They also have the right to participate in the management of these resources.

2. States shall take measures to ensure that any exploitation affecting the natural resources that peasants and other people working in rural areas traditionally hold or use is permitted based on, but not limited to:

(a) A duly conducted social and environmental impact assessment;

(b) Consultations in good faith, in accordance with article 2 (3) of the present Declaration;

(c) Modalities for the fair and equitable sharing of the benefits of such exploitation that have been established on mutually agreed terms between those exploiting the natural resources and the peasants and other people working in rural areas.

Article 6

1. Peasants and other people working in rural areas have the right to life, physical and mental integrity, liberty and security of person.

2. Peasants and other people working in rural areas shall not be subjected to arbitrary arrest or detention, torture or other cruel, inhuman or degrading treatment or punishment, and shall not be held in slavery or servitude.

Article 7

1. Peasants and other people working in rural areas have the right to recognition everywhere as persons before the law.

2. States shall take appropriate measures to facilitate the freedom of movement of peasants and other people working in rural areas.

3. States shall, where required, take appropriate measures to cooperate with a view to addressing transboundary tenure issues affecting peasants and other people working in rural areas that cross international boundaries, in accordance with article 28 of the present Declaration.

Article 8

1. Peasants and other people working in rural areas have the right to freedom of thought, belief, conscience, religion, opinion, expression and peaceful assembly. They have the right to express their opinion, either orally, in writing or in print, in the form of art, or through any other media of their choice, at the local, regional, national and international levels.

2. Peasants and other people working in rural areas have the right, individually and/or collectively, in association with others or as a community, to participate in peaceful activities against violations of human rights and fundamental freedoms.

3. The exercise of the rights provided for in the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

4. States shall take all necessary measures to ensure protection by the competent authorities of everyone, individually and in association with others, against any violence, threat, retaliation, de jure or de facto discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise and defence of the rights described in the present Declaration.

Article 9

1. Peasants and other people working in rural areas have the right to form and join organizations, trade unions, cooperatives or any other organization or association of their own choosing for the protection of their interests, and to bargain collectively. Such organizations shall be independent and voluntary in character, and remain free from all interference, coercion or repression.

2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

3. States shall take appropriate measures to encourage the establishment of organizations of peasants and other people working in rural areas, including unions, cooperatives or other organizations, particularly with a view to eliminating obstacles to their establishment, growth and pursuit of lawful activities, including any legislative or administrative discrimination against such organizations and their members, and provide them with support to strengthen their position when negotiating contractual arrangements in order to ensure that conditions and prices are fair and stable and do not violate their rights to dignity and to a decent life.

Article 10

1. Peasants and other people working in rural areas have the right to active and free participation, directly and/or through their representative organizations, in the preparation and implementation of policies, programmes and projects that may affect their lives, land and livelihoods.

2. States shall promote the participation, directly and/or through their representative organizations, of peasants and other people working in rural areas in decision-making processes that may affect their lives, land and livelihoods; this includes respecting the establishment and growth of strong and independent organizations of peasants and other people working in rural areas and promoting their participation in the preparation and implementation of food safety, labour and environmental standards that may affect them.

Article 11

1. Peasants and other people working in rural areas have the right to seek, receive, develop and impart information, including information about factors that may affect the production, processing, marketing and distribution of their products.

2. States shall take appropriate measures to ensure that peasants and other people working in rural areas have access to relevant, transparent, timely and adequate

information in a language and form and through means adequate to their cultural methods so as to promote their empowerment and to ensure their effective participation in decision-making in matters that may affect their lives, land and livelihoods.

3. States shall take appropriate measures to promote the access of peasants and other people working in rural areas to a fair, impartial and appropriate system of evaluation and certification of the quality of their products at the local, national and international levels, and to promote their participation in its formulation.

Article 12

1. Peasants and other people working in rural areas have the right to effective and non-discriminatory access to justice, including access to fair procedures for the resolution of disputes and to effective remedies for all infringements of their human rights. Such decisions shall give due consideration to their customs, traditions, rules and legal systems in conformity with relevant obligations under international human rights law.

2. States shall provide for non-discriminatory access, through impartial and competent judicial and administrative bodies, to timely, affordable and effective means of resolving disputes in the language of the persons concerned, and shall provide effective and prompt remedies, which may include a right of appeal, restitution, indemnity, compensation and reparation.

3. Peasants and other people working in rural areas have the right to legal assistance. States shall consider additional measures, including legal aid, to support peasants and other people working in rural areas who would otherwise not have access to administrative and judicial services.

4. States shall consider measures to strengthen relevant national institutions for the promotion and protection of all human rights, including the rights described in the present Declaration.

5. States shall provide peasants and other people working in rural areas with effective mechanisms for the prevention of and redress for any action that has the aim or effect of violating their human rights, arbitrarily dispossessing them of their land and natural resources or of depriving them of their means of subsistence and integrity, and for any form of forced sedentarization or population displacement.

Article 13

1. Peasants and other people working in rural areas have the right to work, which includes the right to choose freely the way they earn their living.

2. Children of peasants and other people working in rural areas have the right to be protected from any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to a child's health or physical, mental, spiritual, moral or social development.

3. States shall create an enabling environment with opportunities for work for peasants and other people working in rural areas and their families that provide remuneration allowing for an adequate standard of living.

4. In States facing high levels of rural poverty and in the absence of employment opportunities in other sectors, States shall take appropriate measures to establish and promote sustainable food systems that are sufficiently labour-intensive to contribute to the creation of decent employment.

5. States, taking into account the specific characteristics of peasant agriculture and small-scale fisheries, shall monitor compliance with labour legislation by allocating, where required, appropriate resources to ensure the effective operation of labour inspectorates in rural areas.

6. No one shall be required to perform forced, bonded or compulsory labour, be subjected to the risk of becoming a victim of human trafficking or be held in any other form of contemporary slavery. States shall, in consultation and cooperation with peasants and other people working in rural areas and their representative organizations, take appropriate measures to protect them from economic exploitation, child labour and all forms of contemporary slavery, such as debt bondage of women, men and children, and forced labour, including of fishers and fish workers, forest workers, or seasonal or migrant workers.

Article 14

1. Peasants and other people working in rural areas, irrespective of whether they are temporary, seasonal or migrant workers, have the rights to work in safe and healthy working conditions, to participate in the application and review of safety and health measures, to select safety and health representatives and representatives in safety and health committees, to the implementation of measures to prevent, reduce and control hazards and risks, to have access to adequate and appropriate protective clothing and equipment and to adequate information and training on occupational safety, to work free from violence and harassment, including sexual harassment, to report unsafe and unhealthy working conditions and to remove themselves from danger resulting from their work activity when they reasonably believe that there is an imminent and serious risk to their safety or health, without being subjected to any work-related retaliation for exercising such rights.

2. Peasants and other people working in rural areas have the right not to use or to be exposed to hazardous substances or toxic chemicals, including agrochemicals or agricultural or industrial pollutants.

3. States shall take appropriate measures to ensure favourable safe and healthy working conditions for peasants and other people working in rural areas, and shall in particular designate appropriate competent authorities responsible, and establish mechanisms for intersectoral coordination for the implementation of policies and enforcement of national laws and regulations on occupational safety and health in agriculture, the agro-industry and fisheries, provide for corrective measures and appropriate penalties, and establish and support adequate and appropriate systems of inspection for rural workplaces.

4. States shall take all measures necessary to ensure:

(a) The prevention of risks to health and safety derived from technologies, chemicals and agricultural practices, including through their prohibition and restriction;

(b) An appropriate national system or any other system approved by the competent authority establishing specific criteria for the importation, classification, packaging, distribution, labelling and use of chemicals used in agriculture, and for their prohibition or restriction;

(c) That those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture comply with national or other recognized safety and health standards, and provide adequate and appropriate information to users in the appropriate official language or languages of the country and, on request, to the competent authority;

(d) That there is a suitable system for the safe collection, recycling and disposal of chemical waste, obsolete chemicals and empty containers of chemicals so as to avoid their use for other purposes and to eliminate or minimize the risks to safety and health and to the environment;

(e) The development and implementation of educational and public awareness programmes on the health and environmental effects of chemicals commonly used in rural areas, and on alternatives to them.

Article 15

1. Peasants and other people working in rural areas have the right to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition, which guarantee the possibility of enjoying the highest degree of physical, emotional and intellectual development.

2. States shall ensure that peasants and other people working in rural areas enjoy physical and economic access at all times to sufficient and adequate food that is produced and consumed sustainably and equitably, respecting their cultures, preserving access to food for future generations, and that ensures a physically and mentally fulfilling and dignified life for them, individually and/or collectively, responding to their needs.

3. States shall take appropriate measures to combat malnutrition in rural children, including within the framework of primary health care through, inter alia, the application of readily available technology and the provision of adequate nutritious food and by ensuring that women have adequate nutrition during pregnancy and lactation. States shall also ensure that all segments of society, in particular parents and children, are informed, have access to nutritional education and are supported in the use of basic knowledge on child nutrition and the advantages of breastfeeding.

4. Peasants and other people working in rural areas have the right to determine their own food and agriculture systems, recognized by many States and regions as the right to food sovereignty. This includes the right to participate in decision-making processes on food and agriculture policy and the right to healthy and adequate food produced through ecologically sound and sustainable methods that respect their cultures.

5. States shall formulate, in partnership with peasants and other people working in rural areas, public policies at the local, national, regional and international levels to advance and protect the right to adequate food, food security and food sovereignty and sustainable and equitable food systems that promote and protect the rights contained in the present Declaration. States shall establish mechanisms to ensure the coherence of their agricultural, economic, social, cultural and development policies with the realization of the rights contained in the present Declaration.

Article 16

1. Peasants and other people working in rural areas have the right to an adequate standard of living for themselves and their families and to facilitated access to the means of production necessary to achieve them, including production tools, technical assistance, credit, insurance and other financial services. They also have the right to engage freely, individually and/or collectively, in association with others or as a community, in traditional ways of farming, fishing, livestock rearing and forestry and to develop community-based commercialization systems.

2. States shall take appropriate measures to favour the access of peasants and other people working in rural areas to the means of transportation and the processing,

drying and storage facilities necessary for selling their products on local, national and regional markets at prices that guarantee them a decent income and livelihood.

3. States shall take appropriate measures to strengthen and support local, national and regional markets in ways that facilitate and ensure that peasants and other people working in rural areas have, full and equitable access and participation in these markets to sell their products at prices that allow them and their families to attain an adequate standard of living.

4. States shall take all appropriate measures to ensure that their rural development, agricultural, environmental, trade and investment policies and programmes contribute effectively to protecting and strengthening local livelihood options and to the transition to sustainable modes of agricultural production. States shall stimulate sustainable production, including agroecological and organic production, whenever possible, and facilitate direct farmer-to-consumer sales.

5. States shall take appropriate measures to strengthen the resilience of peasants and other people working in rural areas against natural disasters and other severe disruptions, such as market failures.

6. States shall take appropriate measures to ensure fair wages and equal remuneration for work of equal value, without distinction of any kind.

Article 17

1. Peasants and other people living in rural areas have the right to land, individually and/or collectively, in accordance with article 28 of the present Declaration, including the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures.

2. States shall take appropriate measures to remove and prohibit all forms of discrimination relating to the right to land, including those resulting from change of marital status, lack of legal capacity or lack of access to economic resources.

3. States shall take appropriate measures to provide legal recognition for land tenure rights, including customary land tenure rights not currently protected by law, recognizing the existence of different models and systems. States shall protect legitimate tenure and ensure that peasants and other people working in rural areas are not arbitrarily or unlawfully evicted and that their rights are not otherwise extinguished or infringed. States shall recognize and protect the natural commons and their related systems of collective use and management.

4. Peasants and other people working in rural areas have the right to be protected against arbitrary and unlawful displacement from their land or place of habitual residence, or from other natural resources used in their activities and necessary for the enjoyment of adequate living conditions. States shall incorporate protections against displacement into domestic legislation that are consistent with international human rights and humanitarian law. States shall prohibit arbitrary and unlawful forced eviction, the destruction of agricultural areas and the confiscation or expropriation of land and other natural resources, including as a punitive measure or as a means or method of war.

5. Peasants and other people working in rural areas who have been arbitrarily or unlawfully deprived of their lands have the right, individually and/or collectively, in association with others or as a community, to return to their land of which they were arbitrarily or unlawfully deprived, including in cases of natural disasters and/or armed conflict and to have restored their access to the natural resources used in their

activities and necessary for the enjoyment of adequate living conditions, whenever possible, or to receive just, fair and lawful compensation when their return is not possible.

6. Where appropriate, States shall take appropriate measures to carry out agrarian reforms in order to facilitate the broad and equitable access to land and other natural resources necessary to ensure that peasants and other people working in rural areas enjoy adequate living conditions, and to limit excessive concentration and control of land, taking into account its social function. Landless peasants, young people, small-scale fishers and other rural workers should be given priority in the allocation of public lands, fisheries and forests.

7. States shall take measures aimed at the conservation and sustainable use of land and other natural resources used in their production, including through agroecology, and ensure the conditions for the regeneration of biological and other natural capacities and cycles.

Article 18

1. Peasants and other people working in rural areas have the right to the conservation and protection of the environment and the productive capacity of their lands, and of the resources that they use and manage.

2. States shall take appropriate measures to ensure that peasants and other people working in rural areas enjoy, without discrimination, a safe, clean and healthy environment.

3. States shall comply with their respective international obligations to combat climate change. Peasants and other people working in rural areas have the right to contribute to the design and implementation of national and local climate change adaptation and mitigation policies, including through the use of practices and traditional knowledge.

4. States shall take effective measures to ensure that no hazardous material, substance or waste is stored or disposed of on the land of peasants and other people working in rural areas, and shall cooperate to address the threats to the enjoyment of their rights that result from transboundary environmental harm.

5. States shall protect peasants and other people working in rural areas against abuses by non-State actors, including by enforcing environmental laws that contribute, directly or indirectly, to the protection of the rights of peasants or other people working in rural areas.

Article 19

1. Peasants and other people working in rural areas have the right to seeds, in accordance with article 28 of the present Declaration, including:

(a) The right to the protection of traditional knowledge relevant to plant genetic resources for food and agriculture;

(b) The right to equitably participate in sharing the benefits arising from the utilization of plant genetic resources for food and agriculture;

(c) The right to participate in the making of decisions on matters relating to the conservation and sustainable use of plant genetic resources for food and agriculture;

(d) The right to save, use, exchange and sell their farm-saved seed or propagating material.

2. Peasants and other people working in rural areas have the right to maintain, control, protect and develop their own seeds and traditional knowledge.

3. States shall take measures to respect, protect and fulfil the right to seeds of peasants and other people working in rural areas.

4. States shall ensure that seeds of sufficient quality and quantity are available to peasants at the most suitable time for planting and at an affordable price.

5. States shall recognize the rights of peasants to rely either on their own seeds or on other locally available seeds of their choice and to decide on the crops and species that they wish to grow.

6. States shall take appropriate measures to support peasant seed systems and promote the use of peasant seeds and agrobiodiversity.

7. States shall take appropriate measures to ensure that agricultural research and development integrates the needs of peasants and other people working in rural areas and to ensure their active participation in the definition of priorities and the undertaking of research and development, taking into account their experience, and increase investment in research and the development of orphan crops and seeds that respond to the needs of peasants and other people working in rural areas.

8. States shall ensure that seed policies, plant variety protection and other intellectual property laws, certification schemes and seed marketing laws respect and take into account the rights, needs and realities of peasants and other people working in rural areas.

Article 20

1. States shall take appropriate measures, in accordance with their relevant international obligations, to prevent the depletion and ensure the conservation and sustainable use of biodiversity in order to promote and protect the full enjoyment of the rights of peasants and other people working in rural areas.

2. States shall take appropriate measures to promote and protect the traditional knowledge, innovation and practices of peasants and other people working in rural areas, including traditional agrarian, pastoral, forestry, fisheries, livestock and agroecological systems relevant to the conservation and sustainable use of biological diversity.

3. States shall prevent risks of violation of the rights of peasants and other people working in rural areas arising from the development, handling, transport, use, transfer or release of any living modified organisms.

Article 21

1. Peasants and other people working in rural areas have the human rights to safe and clean drinking water and to sanitation, which are essential for the full enjoyment of life and all human rights and human dignity. These rights include water supply systems and sanitation facilities that are of good quality, affordable and physically accessible, and non-discriminatory and acceptable in cultural and gender terms.

2. Peasants and other people working in rural areas have the right to water for personal and domestic use, farming, fishing and livestock keeping and to securing other water-related livelihoods, ensuring the conservation, restoration and sustainable use of water. They have the right to equitable access to water and water management systems, and to be free from arbitrary disconnections or the contamination of water supplies.

3. States shall respect, protect and ensure access to water, including in customary and community-based water management systems, on a non-discriminatory basis, and shall take measures to guarantee affordable water for personal, domestic and productive uses, and improved sanitation, in particular for rural women and girls and persons belonging to disadvantaged or marginalized groups, such as nomadic pastoralists, workers on plantations, all migrants regardless of their migration status and persons living in irregular or informal settlements. States shall promote appropriate and affordable technologies, including irrigation technology technologies for the reuse of treated wastewater and for water collection and storage

4. States shall protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes, from overuse and contamination by harmful substances, in particular by industrial effluent and concentrated minerals and chemicals that result in slow and fast poisoning.

5. States shall prevent third parties from impairing the enjoyment of the right to water of peasants and other people working in rural areas. States shall prioritize water for human needs before other uses, promoting its conservation, restoration and sustainable use.

Article 22

1. Peasants and other people working in rural areas have the right to social security, including social insurance.

2. States shall, according to their national circumstances, take appropriate steps to promote the enjoyment of the right to social security of all migrant workers in rural areas.

3. States shall recognize the rights of peasants and other people working in rural areas to social security, including social insurance, and, in accordance with national circumstances, should establish or maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security, which together secure effective access to goods and services defined as necessary at the national level.

4. Basic social security guarantees should be established by law. Impartial, transparent, effective accessible and affordable grievance and appeal procedures should also be specified. Systems should be in place to enhance compliance with national legal frameworks.

Article 23

1. Peasants and other people working in rural areas have the right to the enjoyment of the highest attainable standard of physical and mental health. They also have the right to have access, without any discrimination, to all social and health services.

2. Peasants and other people working in rural areas have the right to use and protect their traditional medicines and to maintain their health practices, including access to and conservation of their plants, animals and minerals for medicinal use.

3. States shall guarantee access to health facilities, goods and services in rural areas on a non-discriminatory basis, especially for groups in vulnerable situations, access to essential medicines, immunization against major infectious diseases, reproductive health, information concerning the main health problems affecting the community, including methods of preventing and controlling them, maternal and child health care, as well as training for health personnel, including education on health and human rights.

Article 24

1. Peasants and other people working in rural areas have the right to adequate housing. They have the right to sustain a secure home and community in which to live in peace and dignity, and the right to non-discrimination in this context.

2. Peasants and other people working in rural areas have the right to be protected against forced eviction from their home, harassment and other threats.

3. States shall not, arbitrarily or unlawfully, either temporarily or permanently, remove peasants or other people working in rural areas against their will from the homes or land that they occupy without providing or affording access to appropriate forms of legal or other protection. When eviction is unavoidable, the State must provide or ensure fair and just compensation for any material or other losses.

Article 25

1. Peasants and other people working in rural areas have the right to adequate training suited to the specific agroecological, sociocultural and economic environments in which they find themselves. Issues covered by training programmes should include, but not be limited to, improving productivity, marketing and the ability to cope with pests, pathogens, system shocks, the effects of chemicals, climate change and weather-related events.

2. All children of peasants and other people working in rural areas have the right to education in accordance with their culture and with all the rights contained in human rights instruments.

3. States shall encourage equitable and participatory farmer-scientist partnerships, such as farmer field schools, participatory plant breeding and plant and animal health clinics, to respond more appropriately to the immediate and emerging challenges that peasants and other people working in rural areas face.

4. States shall invest in providing training, market information and advisory services at the farm level.

Article 26

1. Peasants and other people working in rural areas have the right to enjoy their own culture and to pursue freely their cultural development, without interference or any form of discrimination. They also have the right to maintain, express, control, protect and develop their traditional and local knowledge, such as ways of life, methods of production or technology, or customs and tradition. No one may invoke cultural rights to infringe upon the human rights guaranteed by international law or to limit their scope.

2. Peasants and other people working in rural areas have the right, individually and/or collectively, in association with others or as a community, to express their local customs, languages, culture, religions, literature and art, in conformity with international human rights standards.

3. States shall respect, and take measures to recognize and protect, the rights of peasants and other people working in rural areas relating to their traditional knowledge and eliminate discrimination against the traditional knowledge, practices and technologies of peasants and other people working in rural areas.

Article 27

1. The specialized agencies, funds and programmes of the United Nations system and other intergovernmental organizations, including international and regional

financial organizations, shall contribute to the full realization of the present Declaration, including through the mobilization of, inter alia, development assistance and cooperation. Ways and means of ensuring the participation of peasants and other people working in rural areas on issues affecting them shall be considered.

2. The United Nations and its specialized agencies, funds and programmes, and other intergovernmental organizations, including international and regional financial organizations, shall promote respect for and the full application of the present Declaration and follow up on its effectiveness.

Article 28

1. Nothing in the present Declaration may be construed as diminishing, impairing or nullifying the rights that peasants and other people working in rural areas and indigenous peoples currently have or may acquire in the future.

2. The human rights and fundamental freedoms of all, without discrimination of any kind, shall be respected in the exercise of the rights enunciated in the present Declaration. The exercise of the rights set forth in the present Declaration shall be subject only to such limitations as are determined by law and that are compliant with international human rights obligations. Any such limitations shall be non-discriminatory and necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

Draft resolution IV
The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, which confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing the importance of the World Conference on Human Rights, held in Vienna in 1993, and that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Recognizing the importance of the adoption of the 2030 Agenda for Sustainable Development,[5] reaffirming that the Declaration on the Right to Development informed the 2030 Agenda, along with other relevant international instruments, and underlining the fact that the Sustainable Development Goals can be realized only through a credible, effective and universal commitment to the means of implementation by all stakeholders,

Recognizing also the successful conclusion of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III), held in Quito from 17 to 20 October 2016, that recognizes that the New Urban Agenda[6] is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome[7] and is informed by other instruments such as the Declaration on the Right to Development,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want",[8]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] Resolution 55/2.
[5] Resolution 70/1.
[6] Resolution 71/256, annex.
[7] Resolution 60/1.
[8] Resolution 66/288, annex.

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Recalling the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples and its outcome document,[9]

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and in that context noting that the promotion and protection of human rights and fundamental freedoms at the national and international levels should be universal and conducted without conditions attached and that the international community should support the strengthening and promotion of democracy, development and respect for human rights and fundamental freedoms in the entire world,

Recognizing that inequality is a major obstacle to the realization of the right to development within and across countries,

Taking note of the commitment declared by a number of specialized agencies, funds and programmes of the United Nations system and other international organizations to make the right to development a reality for all, and in this regard urging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, as well as into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

Recalling the outcomes adopted at the Tenth Ministerial Conference of the World Trade Organization, held in Nairobi from 15 to 19 December 2015,

Calling for a successful, development-oriented outcome of the trade negotiations of the World Trade Organization, in particular on the remaining issues of the Doha Development Round, as a contribution to the creation of international conditions permitting the full realization of the right to development,

Recalling the outcome of the fourteenth session of the United Nations Conference on Trade and Development, held in Nairobi from 17 to 22 July 2016, on the theme "From decision to action: moving towards an inclusive and equitable global economic environment for trade and development",[10]

Recalling also all its previous resolutions, Human Rights Council resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998[11] on the urgent need to make further progress towards the realization of the right to development,

[9] Resolution 69/2.

[10] See TD/519, TD/519/Add.1, TD/519/Add.2 and TD/519/Add.2/Corr.1.

[11] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

Recalling further Human Rights Council resolution 35/21 of 22 June 2017 on the contribution of development to the enjoyment of all human rights,[12]

Recalling the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and the previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority, including through the elaboration of a convention on the right to development by the relevant machinery, taking into account the recommendations of relevant initiatives,

Reiterating its continuing support for the New Partnership for Africa's Development[13] as a development framework for Africa,

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recognizing also that Member States should cooperate with one another in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation, in particular to revitalize a global partnership for development, for the realization of the right to development and the elimination of obstacles to development and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing further that poverty is an affront to human dignity,

Recognizing that extreme poverty and hunger are among the greatest global threats and require the collective commitment of the international community for their eradication, pursuant to Millennium Development Goal 1 and Sustainable Development Goals 1 and 2, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing also that historical injustices, inter alia, have contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Recognizing further that eradicating poverty in all its forms and dimensions, including extreme poverty, is one of the critical elements in the promotion and realization of the right to development and is the greatest global challenge and an indispensable requirement for sustainable development, which requires a multifaceted and integrated approach, and committed to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

[12] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. V, sect. A.

[13] A/57/304, annex.

Emphasizing also that the right to development is vital for the full realization of the 2030 Agenda for Sustainable Development and should be central to its implementation,

Encouraging relevant bodies of the United Nations system, within their respective mandates, including the specialized agencies, funds and programmes of the United Nations system, relevant international organizations, including the World Trade Organization, and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda and to cooperate with the United Nations High Commissioner for Human Rights in the fulfilment of her mandate with regard to the implementation of the right to development,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights concerning the promotion and realization of the right to development;[14]

2. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

3. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development, including the 2030 Agenda for Sustainable Development,[5] which seeks to build on the Millennium Development Goals and complete what they did not achieve, and also in this regard to lead the raising of the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action,[3] to the same level as and on a par with all other human rights and fundamental freedoms;

4. *Supports* the realization of the mandate of the Working Group on the Right to Development,[15] and recognizes the need for renewed efforts with a view to overcoming the existing political impasse within the Working Group and to fulfil at the earliest its mandate as established by the Commission on Human Rights in its resolution 1998/72[11] and the Human Rights Council in its resolution 4/4;[16]

5. *Takes note with appreciation* of the report of the Chair-Rapporteur of the Working Group on the Right to Development on its nineteenth session;[17]

6. *Notes* the presentation to the Working Group at its nineteenth session of the set of standards for the implementation of the right to development prepared by the Chair-Rapporteur of the Working Group,[18] which is a useful basis for further deliberations on the implementation and realization of the right to development;

7. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and the practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and evolve into a basis for the

[14] A/HRC/39/18.

[15] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

[16] Ibid., *Sixty-second Session, Supplement No. 53* (A/62/53), chap. III, sect. A.

[17] A/HRC/39/56.

[18] A/HRC/WG.2/17/2.

consideration of an international legal standard of a binding nature through a collaborative process of engagement;

8. *Calls upon* Member States to contribute to the efforts of the Working Group, including by considering the proposed set of standards on the implementation and realization of the right to development, and in that context underscores the importance of finalizing the criteria and subcriteria of the right to development;

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session[19] that are congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Also stresses* that it is important that the Chair-Rapporteur and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[13] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Sustainable Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms, and also while urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the specialized agencies, funds and programmes of the United Nations system, as well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

11. *Encourages* the Human Rights Council to continue to consider how to ensure follow-up to the work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the

[19] See E/CN.4/2002/28/Rev.1, sect. VIII.A.

relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

12. *Takes note with appreciation* of the report of the Special Rapporteur on the right to development,[20] which underlines the link between South-South Cooperation, sustainable development and the right to development, and requests him to pay particular attention to the implementation of the right to development, in accordance with his mandate;

13. *Stresses* that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation and hence should not result in a reduction of North-South cooperation or hamper progress in fulfilling existing official development assistance commitments, and encourages Member States and other relevant stakeholders to incorporate the right to development into the design, financing and implementation of cooperation processes;

14. *Urges* Member States, the Office of the United Nations High Commissioner for Human Rights and other relevant specialized agencies, funds and programmes of the United Nations system to provide the Special Rapporteur on the Right to Development with all the assistance and support necessary for the fulfilment of his mandate;

15. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set out in those outcome documents;

16. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, a lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

17. *Further reaffirms* that development contributes significantly to the enjoyment of all human rights by all, and calls upon all countries to realize people-centred development of the people, by the people and for the people;

18. *Calls upon* all States to spare no effort in promoting the right to development, in particular while implementing the 2030 Agenda for Sustainable Development, as it is conducive to the overall enjoyment of human rights;

19. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

20. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with one another to that end;

21. *Expresses concern* about the increasing cases of human rights violations and abuses by some transnational corporations and other business enterprises, underlines the need to ensure that appropriate protection, justice and remedies are provided to the victims of human rights violations and abuses resulting from their

[20] A/73/271.

activities, and underscores the fact that these entities must contribute to the means of implementation for the realization of the right to development;

22. *Reaffirms* the need for an international environment that is conducive to the realization of the right to development;

23. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels;

24. *Reaffirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable, recognizes that globalization has brought disparities between and within countries and that issues such as trade and trade liberalization, the transfer of technology, infrastructure development and market access should be managed effectively in order to mitigate the challenges of poverty and underdevelopment and to make the right to development a reality for everyone;

25. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

26. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development owing to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the effects of international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

27. *Encourages* Member States to give particular consideration to the right to development in the implementation of the 2030 Agenda, and emphasizes that the 2030 Agenda promotes the respect for all human rights, including the right to development;

28. *Recalls* the commitment in the United Nations Millennium Declaration[4] of halving the number of people living in poverty by 2015, notes with concern that some developing countries have failed to achieve the Millennium Development Goals, and in this regard invites Member States and the international community to take proactive measures aimed at creating a conducive environment to contribute to the effective implementation of the 2030 Agenda, in particular increasing international cooperation, including partnership and commitment, between developed and developing countries towards achieving the Sustainable Development Goals;

29. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to the least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

30. *Recognizes* the need to address market access for developing countries, including in the sectors of agriculture, services and non-agricultural products, in particular those of interest to developing countries;

31. *Calls once again for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization, the implementation of commitments on implementation-related issues and concerns, a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational, the avoidance of new forms of protectionism, and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

32. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

33. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

34. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between the education of women and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

35. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

36. *Recalls* the Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030, adopted on 8 June 2016 at the high-level meeting of the General Assembly on HIV and AIDS,[21] and underscores the importance of enhanced international cooperation to support the efforts of Member States to achieve health goals, including the target of ending the AIDS epidemic by 2030, implement universal access to health-care services and address health challenges;

37. *Welcomes* the political declaration of the third high-level meeting of the General Assembly on the prevention and control of non-communicable diseases[22] and the political declaration of the high-level meeting of the General Assembly on the fight against tuberculosis,[23] both adopted on 10 October 2018, with their particular focus on development and other challenges and social and economic determinants and impacts, particularly for developing countries;

[21] Resolution 70/266, annex.
[22] Resolution 73/2.
[23] Resolution 73/3.

38. *Recalls* the Convention on the Rights of Persons with Disabilities,[24] which entered into force on 3 May 2008, and General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", and, while recognizing persons with disabilities as agents and beneficiaries of development, stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in support of national efforts in the realization of the right to development;

39. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007, and in this regard recalls the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in 2014;

40. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

41. *Emphasizes* the urgent need to take concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, consistent with the principles of the United Nations Convention against Corruption,[25] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

42. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring the effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office with the necessary resources;

43. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development among Member States, development agencies and the international development, financial and trade institutions and to reflect those activities in detail in her next report to the Human Rights Council;

44. *Calls upon* the specialized agencies, funds and programmes of the United Nations system to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

45. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, the specialized agencies, funds and programmes of the United Nations system, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

[24] United Nations, *Treaty Series*, vol. 2515, No. 44910.

[25] Ibid., vol. 2349, No. 42146.

46. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including the specialized agencies, funds and programmes of the United Nations system, relevant international organizations, including the World Trade Organization, and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda, to contribute further to the work of the Working Group on the Right to Development and the Special Rapporteur on the Right to Development and to cooperate with the High Commissioner in the fulfilment of her mandate with regard to the implementation of the right to development;

47. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-fourth session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group and the Special Rapporteur to present an oral report and to engage in an interactive dialogue with the Assembly at its seventy-fourth session.

Draft resolution V
Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 72/168 of 19 December 2017, and Human Rights Council decision 18/120 of 30 September 2011[1] and resolutions 24/14 of 27 September 2013,[2] 27/21 of 26 September 2014,[3] 30/2 of 1 October 2015,[4] 36/10 of 28 September 2017[5] and 37/21 of 23 March 2018,[6] as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the reports of the Special Rapporteur of the Human Rights Council on the negative impact of unilateral coercive measures on the enjoyment of human rights, submitted pursuant to General Assembly resolution 72/168[7] and to Human Rights Council resolutions 27/21 and 30/2,[8] and recalling the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997[9] and 55/110 of 4 December 2000,[10]

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011,[11] the Final Document of the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and the documents adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn unilateral coercive measures and their continued application, persevere with efforts to effectively reverse them, urge other States to do likewise, as called for by the General Assembly and

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and A/66/53/Add.1/Corr.1), chap. III.

[2] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[3] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1, A/69/53/Add.1/Corr.1 and A/69/53/Add.1/Corr.2), chap. IV, sect. A.

[4] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.

[5] Ibid., *Seventy-second Session, Supplement No. 53A* (A/72/53/Add.1), chap. III.

[6] Ibid., *Seventy-third Session, Supplement No. 53* (A/73/53) chap. IV, sect. A.

[7] A/73/175.

[8] A/HRC/36/44.

[9] A/53/293 and A/53/293/Add.1.

[10] A/56/207 and A/56/207/Add.1.

[11] A/65/896-S/2011/407, annex I.

other organs of the United Nations, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights[12] and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[13] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[14] the Quito Declaration on Sustainable Cities and Human Settlements for All and the Quito implementation plan for the New Urban Agenda, adopted by the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) on 20 October 2016,[15] and in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, the 2030 Agenda for Sustainable Development,

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

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[12] See A/CONF.157/24 (Part I), chap. III.

[13] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[14] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[15] Resolution 71/256, annex.

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[16]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[17] and the International Covenant on Economic, Social and Cultural Rights,[17] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[18] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly urges* States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of sustainable economic and social development, particularly in developing countries;

3. *Condemns* the inclusion of Member States in unilateral lists under false pretexts, which are contrary to international law and the Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries;

4. *Urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

5. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

6. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects

[16] Resolution 41/128, annex.
[17] See resolution 2200 A (XXI), annex.
[18] Resolution 217 A (III).

of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

7. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

8. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

9. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

10. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

11. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

12. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment and extraterritorial application of national laws that are not in conformity with international law, in its task concerning the implementation of the right to development;

13. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

14. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[16] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of national laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the open-ended Working Group on the Right to Development of the Human Rights Council;

15. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to

12 December 2003,[19] States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

16. *Reaffirms* paragraph 30 of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[20] in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries;

17. *Recalls* the decision of the Human Rights Council, in its resolution 27/21,[3] to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, and welcomes the work done in delivering his mandate;

18. *Welcomes* the decision taken by the Human Rights Council, in its resolution 36/10,[5] to extend, for a period of three years, the mandate of the Special Rapporteur as set out in Council resolution 27/21;

19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur, and also requests them, in discharging their functions in relation to the promotion and protection of human rights, to pay due attention and to give urgent consideration to the present resolution;

20. *Recalls* that the Human Rights Council took note of the research-based progress report of its Advisory Committee containing recommendations on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability;[21]

21. *Takes note* of the contribution of the first biennial panel discussion on the issue of unilateral coercive measures and human rights organized by the Human Rights Council in 2015 to increase awareness of the negative impact that unilateral coercive measures have on the enjoyment of human rights in the targeted and non-targeted countries, and invites the Council to follow up on the discussion at the second biennial panel in 2017;

22. *Invites* the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to continue paying attention and explore ways to address the negative impact of the application of unilateral coercive measures;

23. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

24. *Takes note with interest* of the proposals contained in the report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights,[7] and requests the Special Rapporteur to include in his report to the General Assembly at its seventy-fourth session more information on the process regarding the discussions of his proposals at the Human Rights Council;

[19] A/C.2/59/3, annex, chap. I, sect. A.

[20] Resolution 70/1.

[21] A/HRC/28/74.

25. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights organize a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

26. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-fourth session a report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights;

27. *Invites* Governments to cooperate fully with the Special Rapporteur in the fulfilment of his mandate through, inter alia, the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights;

28. *Decides* to examine the question on a priority basis at its seventy-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

Draft resolution VI
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the General Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals,

Recalling also its adoption of the United Nations Millennium Declaration on 8 September 2000,[2] its resolution 72/169 of 19 December 2017, Human Rights Council resolution 38/3 of 5 July 2018[3] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling further the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held in Geneva from 20 to 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,[4] and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Underlining that cooperation is not just a matter of relations of good-neighbourliness, coexistence or reciprocity, but rather of a willingness to look beyond mutual interests in order to advance the general interest,

Stressing the importance of international cooperation for improving the living conditions of all in every country, including, in particular, in developing countries,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

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[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 55/2.

[3] See *Official Records of the General Assembly, Seventy-third Session, Supplement No. 53* (A/73/53), chap. VI, sect. A.

[4] Resolution 66/3.

Reiterating the important role that genuine human rights dialogue can play in the enhancement of cooperation in the field of human rights at the bilateral, regional and international levels,

Emphasizing that human rights dialogue should be constructive and based on the principles of universality, indivisibility, objectivity, non-selectivity, non-politicization, mutual respect and equal treatment, with the aim of facilitating mutual understanding and strengthening constructive cooperation, including through capacity-building and technical cooperation between States,

Emphasizing also the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[5]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Also reaffirms* the duty of States to cooperate with one another in accordance with the Charter of the United Nations in the promotion of universal respect for and observance of human rights and fundamental freedoms for all, including with respect to the elimination of all forms of racial discrimination and all forms of religious intolerance;

5. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

6. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

7. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

8. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality,

[5] See E/CN.4/2001/2–E/CN.4/Sub.2/2000/46, chap. II, sect. A.

non-selectivity, cooperation and genuine dialogue, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

9. *Emphasizes* the importance of the universal periodic review as a mechanism based on cooperation and constructive dialogue with the objective of, inter alia, improving the situation of human rights on the ground and promoting the fulfilment of the human rights obligations and commitments undertaken by States;

10. *Also emphasizes* the need for a cooperative and constructive approach on the part of all stakeholders to resolving human rights issues in international forums;

11. *Further emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

12. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

13. *Urges* States to take measures necessary to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

14. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

15. *Encourages* all Member States and the United Nations system to explore and foster complementarities among North-South, South-South and triangular cooperation aiming at the enhancement of international cooperation in the field of human rights;

16. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as on obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and genuine dialogue in the United Nations human rights machinery, including the Human Rights Council;

17. *Decides* to continue its consideration of the question at its seventy-fourth session.

Draft resolution VII
Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 72/172 of 19 December 2017, and Human Rights Council resolutions 18/6 of 29 September 2011,[1] 33/3 of 29 September 2016,[2] 36/4 of 28 September 2017[3] and 39/4 of 27 September 2018,[4]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law, as set forth in Articles 1 and 2 of the Charter, and with full respect for, inter alia, sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[5] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and A/66/53/Add.1/Corr.1), chap. II.

[2] Ibid., *Seventy-first Session, Supplement No. 53A* and corrigendum (A/71/53/Add.1 and A/71/53/Add.1/Corr.1), chap. II.

[3] Ibid., *Seventy-second Session, Supplement No. 53A* (A/72/53/Add.1), chap. III.

[4] Ibid., *Seventy-third Session, Supplement No. 53A* (A/73/53/Add.1), chap. III.

[5] Resolution 217 A (III).

in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Recognizing that a democratic and equitable order requires the reform of international financial institutions, in order to widen and strengthen the level of participation of developing countries in the international decision-making process, and a more transparent and open financial system, as well as adequate measures

against illicit financial flows, such as tax fraud, tax evasion, illegal capital flight, money-laundering and the proceeds of corruption, and for improving tax transparency worldwide,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures at the global level that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, technology transfer to and capacity-building in developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council of 18 June 2007,[6] and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Emphasizing the importance of the 2030 Agenda for Sustainable Development[7] for the promotion of a democratic and equitable international order,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Takes note* of the report of the Independent Expert of the Human Rights Council on the promotion of a democratic and equitable international order;[8]

4. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity,[9] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

5. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal

[6] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[7] Resolution 70/1.

[8] See A/73/158.

[9] See A/CONF.189/12 and A/CONF.189/12/Corr.1, chap. I.

adherence to and implementation of the rule of law at both the national and international levels,

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of humankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, which should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms for all;

9. *Reaffirms*, among other principles, the sovereign equality of States, non-intervention and non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, social justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

12. *Underlines* that attempts to overthrow legitimate Governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights, and reaffirms that every State has an inalienable right to choose its political, economic, social and cultural system, without interference in any form by other States;

13. *Reaffirms* the need to continue working urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations, in accordance with relevant previous General Assembly resolutions, programmes of action and major conferences and summits in the economic, social and related areas;

14. *Also reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

15. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

16. *Affirms* that a democratic and equitable international order, as prescribed in the Charter of the United Nations, cannot be achieved only through the deregulation of trade, markets and financial services;

17. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

18. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his task, to supply all necessary information requested by him and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him to fulfil his mandate more effectively;

19. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

20. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

21. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

22. *Requests* the Independent Expert to submit to the General Assembly at its seventy-fourth session a report on the implementation of the present resolution, and invites him to undertake research into the impact of financial and economic policies pursued by international organizations and other institutions on a democratic and equitable international order;

23. *Decides* to continue consideration of the matter at its seventy-fourth session under the item entitled "Promotion and protection of human rights".

Draft resolution VIII
Promotion of peace as a vital requirement for the full enjoyment of all human rights by all

The General Assembly,

Recalling its resolutions 65/222 of 21 December 2010, 67/173 of 20 December 2012 and 69/176 of 18 December 2014, and Human Rights Council resolutions 20/15 of 5 July 2012,[1] 23/16 of 13 June 2013,[2] 27/17 of 25 September 2014,[3] 30/12 of 1 October 2015[4] and 35/4 of 22 June 2017,[5] entitled "Promotion of the right to peace",

Recalling also its resolution 39/11 of 12 November 1984, entitled "Declaration on the Right of Peoples to Peace", and the United Nations Millennium Declaration,[6]

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Underlining, in accordance with the purposes and principles of the United Nations, its full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace and security and justice and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States,

Reaffirming the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Emphasizing its objective of promoting better relations among all States and contributing to setting up conditions in which their people can live in true and lasting peace, free from any threat to or attempt against their security,

Reaffirming the obligation of all States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming its commitment to peace and security and justice and the continuing development of friendly relations and cooperation among States,

Rejecting the use of violence in pursuit of political aims, and stressing that only peaceful political solutions can ensure a stable and democratic future for all people around the world,

Reaffirming the importance of ensuring respect for the principles of the sovereignty, territorial integrity and political independence of States and

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[1] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigenda (A/67/53, A/67/53/Corr.1 and A/67/53/Corr.2), chap. IV, sect. A.

[2] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. V, sect. A.

[3] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1, A/69/53/Add.1/Corr.1 and A/69/53/Add.1/Corr.2), chap. IV, sect. A.

[4] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.

[5] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. V, sect. A.

[6] Resolution 55/2.

non-intervention in matters that are essentially within the domestic jurisdiction of any State, in accordance with the Charter and international law,

Reaffirming also that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[7]

Recognizing that peace and development are mutually reinforcing, including in the prevention of armed conflict,

Affirming that human rights include social, economic and cultural rights and the right to peace, a healthy environment and development, and that development is in fact the realization of those rights,

Underlining the fact that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and is an impediment to the promotion of world peace and cooperation,

Recalling that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[8] can be fully realized,

Convinced of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

Convinced also that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

Convinced further that international cooperation in the field of human rights contributes to creating an international environment of peace and stability,

1. *Welcomes* the Declaration on the Right to Peace,[9] adopted by the General Assembly on 19 December 2016, and invites States, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof;

2. *Reaffirms* that the peoples of our planet have a sacred right to peace;

3. *Also reaffirms* that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of all States;

4. *Stresses* that peace is a vital requirement for the promotion and protection of all human rights for all;

5. *Also stresses* that the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace and security and stability;

[9] Resolution 71/189, annex.

6. *Emphasizes* that the preservation and promotion of peace demand that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

7. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;

8. *Urges* all States to respect and to put into practice the purposes and principles of the Charter in their relations with other States, irrespective of their political, economic or social system and of their size, geographical location or level of economic development;

9. *Reaffirms* the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are party and the continuance of which is likely to endanger the maintenance of international peace and security, as a vital requirement for the promotion and protection of all human rights of everyone and all peoples;

10. *Underlines* the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace, and encourages States, the specialized agencies of the United Nations system and intergovernmental and non-governmental organizations to contribute actively to this endeavour;

11. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

12. *Decides* to continue consideration of the question of the promotion of the right of peoples to peace at its seventy-fifth session under the item entitled "Promotion and protection of human rights".

Draft resolution IX
The right to food

The General Assembly,

Reaffirming the Charter of the United Nations and its importance for the promotion and protection of all human rights and fundamental freedoms for all,

Reaffirming also previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition,[2] the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015, and the 2030 Agenda for Sustainable Development,[4] in particular the Sustainable Development Goals on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture and on ending poverty in all its forms everywhere,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[5] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the importance of the Rome Declaration on World Food Security, the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the importance of the recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] as well as the Rome Declaration on Nutrition and the Framework for Action, adopted in Rome on 21 November 2014,[8]

Acknowledging that the right to food has been recognized as the right of every individual, alone or in community with others, to have physical and economic access at all times to sufficient, adequate, nutritious food, in conformity with, inter alia, the culture, beliefs, traditions, dietary habits and preferences of individuals, that is produced and consumed sustainably, thereby preserving access to food for future generations,

Reaffirming the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[9]

Recalling the proclamation by the General Assembly at its seventy-second session of 2019–2028 as the United Nations Decade of Family Farming and the close links between family farming, the promotion and conservation of historical, cultural

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] Resolution 55/2.

[4] Resolution 70/1.

[5] See resolution 2200 A (XXI), annex.

[6] A/57/499, annex.

[7] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

and natural heritage, traditional customs and culture, halting the loss of biodiversity and the improvement of the living conditions of people living in rural areas,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food and nutrition security and poverty eradication,

Reiterating, as set out in the Rome Declaration on World Food Security, the Declaration of the World Food Summit and the Rome Declaration on Nutrition, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action, as well as in the Rome Declaration on Nutrition and the Framework for Action, and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food and nutrition security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that, despite the efforts made and the fact that some positive results have been achieved, the problems of hunger, food insecurity and malnutrition have a global dimension, that there has not been sufficient progress in reducing hunger and that these problems are increasing dramatically in some regions in the absence of urgent, determined and concerted action,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

Recognizing further the complex character of food insecurity and its likely recurrence owing to a combination of several major factors, such as the effects of the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as poverty, natural disasters, armed conflicts, drought, volatility in commodity prices and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, the least developed countries and small island developing States, and the need for coherence and collaboration between international institutions at the global level,

Noting with great concern that millions of people are facing famine or the immediate risk of famine or are experiencing severe food insecurity in several regions of the world, and noting also that poverty, armed conflicts, drought and the volatility of commodity prices are among the factors causing or exacerbating famine and severe food insecurity and that additional efforts, including international support, to respond,

Stressing the obligation of all States and parties to an armed conflict to protect civilians, in accordance with international humanitarian law, and calling upon Member States, the United Nations and other relevant organizations to take further steps to provide a coordinated emergency response to the food and nutrition needs of affected populations, while aiming to ensure that such steps are supportive of national strategies and programmes aimed at improving food security and nutrition,

Reaffirming that starvation of civilians as a method of combat is prohibited under international humanitarian law and that it is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works,

Resolved to act to ensure that the promotion, protection and fulfilment of all human rights and the human rights perspective are taken into account at the national, regional and international levels in measures to address the realization of the right to food,

Stressing the possible benefits of international trade to improve food and nutrition availability,

Stressing also that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and tackle water scarcity, as well as in programmes, practices and policies to scale up sustainable agroecological approaches,

Expressing its deep concern at the number and scale of natural disasters, diseases and pest infestations, as well as the negative impact of climate change, and their increasing impact in recent years, which have resulted in substantial loss of life and livelihood and threatened agricultural production and food and nutrition security, in particular in developing countries,

Concerned that the impacts of climate change and natural disasters are harming agricultural productivity, food production and cropping patterns, thus contributing to food availability shortfalls, and that such impacts are expected to increase with future climate change,

Expressing its deep concern over the negative effects of armed conflicts on the enjoyment of the right to food,

Emphasizing that a multisectoral approach that integrates nutrition across all sectors, including agriculture, health, water and sanitation, social protection and education, as well as a gender perspective, is critical to achieving global food and nutrition security and the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security[10] by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems,[11] which were endorsed by the Committee on World Food Security at its forty-first session, held from 13 to 18 October 2014,

Stressing the importance of the Second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014, and of its outcome documents, the Rome Declaration on Nutrition and the Framework for Action,

Stressing also the need to increase official development assistance devoted to agriculture and nutrition,

Recognizing that small and medium-sized farmers in developing countries need to receive technical, technology transfer and capacity-building support,

Recognizing also the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and nutrition and the right to food for all,

Noting the cultural values of dietary and eating habits in different cultures, and recognizing that food plays an important role in defining the identity of individuals and communities and is a cultural component that describes and gives value to a territory and its inhabitants,

Recognizing the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recognizing also the role of the Committee on World Food Security as an inclusive international and intergovernmental platform for a broad range of committed stakeholders to work together in a coordinated manner and in support of country-led processes towards the elimination of hunger and ensuring food security and nutrition for all human beings,

Acknowledging the contribution of parliamentarians nationally and regionally to the reduction of hunger and malnutrition and ultimately to the realization of the right to food, and in this regard recognizing the convening of the first Global Parliamentary Summit against Hunger and Malnutrition, held in Madrid on 29 and 30 October 2018,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and recalling the commitment therein to work together to promote sustained and inclusive economic growth, social development and environmental protection and thereby to benefit all, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Recalling also the Sendai Framework for Disaster Risk Reduction 2015–2030[12] and its guiding principles, which, inter alia, recognize the importance of promoting regular disaster preparedness and response and recovery exercises, with a view to ensuring rapid and effective response to disasters and related displacement, including access to essential food and non-food relief supplies, as appropriate to local needs, as well as of fostering collaboration across global and regional mechanisms and institutions for the implementation and coherence of instruments and tools relevant to disaster risk reduction, such as for climate change, biodiversity, sustainable

development, poverty eradication, environment, agriculture, health, food and nutrition and others, as appropriate,

Recalling further the proclamation at its seventieth session of 2016–2025 as the United Nations Decade of Action on Nutrition, and stressing the opportunity the Decade represents to bring together initiatives and efforts to eradicate hunger and prevent all forms of malnutrition,

Acknowledging the work done by the High-level Task Force on Global Food and Nutrition Security established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, up to 45 per cent of the children who die every year before the age of 5 die from undernutrition and hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people in the world affected by undernourishment, or chronic food deprivation, increased from around 804 million in 2016 to nearly 821 million in 2017;

4. *Expresses its concern* at the fact that the effects created by the world food crisis still continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the impacts of the world financial and economic crisis, and at the particular effects of the crisis on many net food-importing countries, especially the least developed countries;

5. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations entitled *The State of Food Security and Nutrition in the World 2018*, the number of hungry people in the world is unacceptably high, the vast majority of hungry people live in developing countries and the number of undernourished people in the world has been on the rise since 2016, reaching an estimated 821 million in 2017;

6. *Also expresses its deep concern* that, while women contribute more than 50 per cent of the food produced worldwide, they also account for 70 per cent of the world's hungry, that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to mainstream a gender perspective in food security programmes and to take action to address de jure and de facto gender inequality and discrimination against women, in particular when they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and that women have equal access to resources, including income, land

and their families, and in this regard stresses the need to empower women and strengthen their role in decision-making;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue to mainstream a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity and malnutrition to continue to integrate a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support of national and regional efforts by providing the assistance necessary to increase food production and access to food, including through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid, ensuring food security, with special attention to the specific needs of women and girls, and promoting innovation, support for the development of adapted technologies, research on rural advisory services and support for access to financing services, and ensure support for the establishment of secure land tenure systems;

11. *Calls upon* all States and, if appropriate, relevant international organizations to take measures and support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and in children, and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

12. *Also calls upon* all States and, where appropriate, relevant international organizations to implement policies and programmes to reduce and eliminate preventable mortality and morbidity, as a result of malnutrition, of children under 5 years of age, and in this regard urges States to disseminate the technical guidance prepared by the Office of the United Nations High Commissioner for Human Rights, in collaboration with the World Health Organization,[13] and to apply it, as appropriate, in the design, implementation, evaluation and monitoring of laws, policies, programmes, budgets and mechanisms for remedy and redress aimed at eliminating preventable mortality and morbidity of children under 5 years of age;

13. *Encourages* all States to take steps, with a view to progressively achieving the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

14. *Recognizes* the advances made through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

15. *Stresses* that improving access to productive resources and public investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investment, including private investment, in appropriate small-scale irrigation and water

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and A/71/53/Add.1/Corr.1), chap. III).

management technologies in order to reduce vulnerability to droughts and to tackle water scarcity;

16. *Recognizes* the critical contribution made by the fisheries sector to the realization of the right to food and to food security and the contribution of small-scale fishers to the local food security of coastal communities;

17. *Also recognizes* that 70 per cent of hungry people live in rural areas, where nearly half a billion family farmers are located, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access for their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

18. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[14]

19. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[15] and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture[16] as a matter of priority;

20. *Recognizes* the important role of indigenous peoples and their traditional knowledge and seed supply systems, as well as the important role of new technologies, in the conservation of biodiversity and in aiming to ensure food security and improved nutrition;

21. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples,[17] acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face in achieving the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

22. *Also recalls* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held on 22 and 23 September 2014,[18] and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

[14] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[15] Ibid., vol. 1760, No. 30619.

23. *Notes* the need to further examine various concepts, such as "food sovereignty", and their relation to food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

24. *Requests* all States and private actors, as well as international organizations, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all;

25. *Recognizes* the need to strengthen national commitment, as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting their enjoyment of the right to food;

26. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

27. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

28. *Calls for* a successful, development-oriented outcome of the trade negotiations of the World Trade Organization, in particular on the remaining issues of the Doha Development Round, as a contribution to the creation of international conditions permitting the full realization of the right to food;

29. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

30. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty, as well as non-communicable diseases;

31. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the funding necessary to realize the right to food, as set out in the Rome Declaration on World Food Security, and to achieve the aims of Goal 2 of the 2030 Agenda for Sustainable Development[4] and other food and nutrition-related targets;

32. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, alongside the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

33. *Urges* States to give priority in their development strategies and expenditures to the realization of the right to food;

34. *Stresses* the importance of international cooperation and development

on diversity of crops and livestock and institutional innovations such as community seed banks, farmer field schools and seed fairs, and to the provision of humanitarian food assistance in activities related to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

35. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights should consider implementing that Agreement in a manner that is supportive of food security, while being mindful of the obligation of Member States to promote and protect the right to food;

36. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across different regions, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

37. *Calls upon* Member States, the United Nations, humanitarian and development organizations and other relevant actors to urgently and effectively respond to, prevent and prepare for rising global food insecurity affecting millions of people, especially those who are facing famine or the immediate risk of famine, including by enhancing humanitarian and development cooperation and providing urgent funding to respond to the needs of the affected population, and calls upon Member States and parties to armed conflicts to respect international humanitarian law and ensure safe and unhindered humanitarian access;

38. *Calls upon* States to heed the urgent United Nations humanitarian appeal to assist countries facing drought, starvation and famine with emergency aid and urgent funding;

39. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on its realization;

40. *Takes note with appreciation* of the interim report of the Special Rapporteur,[19] which addresses the rights of agricultural workers on a global scale, with particular attention to the dangerous working conditions inherent in the agricultural sector, which not only threaten the lives of agricultural workers but also undermine their right to food;

41. *Recognizes* the importance of giving due consideration to the adverse impact of climate change and to the full realization of the right to food, recalls the Paris Agreement, adopted at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris from 30 November to 13 December 2015,[20] and also recalls the holding of the twenty-second session of the Conference of the Parties in Marrakech, Morocco, from 7 to 18 November 2016;

42. *Also recognizes* the impact of climate change and of the El Niño phenomenon on agricultural production and food security around the world and the importance of designing and implementing actions to reduce its effects, in particular

[19] A/73/164.

[20] FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

on vulnerable populations, such as rural women, bearing in mind the role that they play in supporting their households and communities in achieving food and nutrition security, generating income and improving rural livelihoods and overall well-being;

43. *Reiterates its support* for the realization of the mandate of the Special Rapporteur, and requests the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for its effective fulfilment;

44. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[21] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person, indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

45. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[22] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

46. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a useful tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals and to support national Governments in the implementation of food security and nutrition policies, programmes and legal frameworks;

47. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task, to supply all necessary information requested by her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

48. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-fourth session an interim report on the implementation of the present resolution and to continue her work, including by examining the emerging issues with regard to the realization of the right to food that are within her mandate;

49. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

50. *Decides* to continue the consideration of the question at its seventy-fourth session under the item entitled "Promotion and protection of human rights".

[21] *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22), annex IV.

[22] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

Draft resolution X
Extrajudicial summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights[2] and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Council resolution 35/15 of 22 June 2017,[3]

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949,[4] which, alongside international human rights law, provide important legal frameworks of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Recalling all its resolutions on the subject of extrajudicial, summary or arbitrary executions as well as the resolutions of the Commission on Human Rights and the Human Rights Council on the subject, and emphasizing the importance of their full and effective implementation,

Recognizing the positive role that regional human rights systems can play in the global protection against arbitrary deprivation of life,

Acknowledging the importance of the 2030 Agenda for Sustainable Development[5] and its implementation for the promotion and protection of the enjoyment by all persons of human rights, gender equality, access to justice for all and effective, accountable and inclusive institutions at all levels,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions, especially with regard to the gender-related killing of women and girls, also known as femicide,

Noting that enforced disappearances can end in extrajudicial, summary or arbitrary executions, recalling the importance in this regard of the International Convention for the Protection of All Persons from Enforced Disappearance,[6] and calling upon all States which have not yet done so to consider signing and ratifying or acceding to the Convention,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons hors de combat killed in situations of armed conflict and internal strife, and that women and girls are disproportionately affected by conflict, as recognized in Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security and subsequent resolutions on the matter,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. V, sect. A.
[4] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.
[5] Resolution 70/1.
[6] United Nations, *Treaty Series*, vol. 2716, No. 48088.

Noting with deep concern also the continuing instances of the arbitrary deprivation of life, resulting from, inter alia, the imposition and implementation of capital punishment when carried out in a manner that violates international law,

Recalling the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)[7] and the adoption of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[8]

Deeply concerned about acts that can amount to extrajudicial, summary or arbitrary executions committed against persons exercising their rights to peaceful assembly and freedom of expression in all regions of the world,

Deeply concerned also about killings committed by non-State actors, including terrorist groups and criminal organizations, which may amount to abuses of international human rights law and violations of international humanitarian law,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court,[9] and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes, as set out by the General Assembly in its resolutions 60/1 of 16 September 2005 and 63/308 of 14 September 2009,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of international human rights law, particularly the right to life, as well as of international humanitarian law,

1. *Reiterates its strong condemnation* of all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

3. *Reiterates* that all States must conduct prompt, exhaustive and impartial investigations, exercising due diligence, into all suspected cases of extrajudicial, summary or arbitrary executions, identify and bring to justice those responsible, while ensuring the right of every person to a fair hearing by a competent, independent and impartial tribunal established by law, grant adequate compensation within a reasonable time to the victims or their families and adopt all measures, including legal and judicial measures, also bearing in mind gender equality in access to justice, necessary to put an end to impunity, particularly with regard to the gender-related killing of women and girls, also known as femicide, and extrajudicial, summary or arbitrary executions of refugees and migrants and humanitarian workers, and prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions,[10] fully consistent with their obligations under international law;

4. *Calls upon* Governments, and invites intergovernmental and non-governmental organizations, to pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions, with a

[7] Resolution 65/229, annex.
[8] Resolution 70/175, annex.
[9] United Nations, *Treaty Series*, vol. 2187, No. 38544.
[10] Economic and Social Council resolution 1989/65, annex.

view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary or arbitrary executions, to comply with their obligations under the relevant provisions of international human rights instruments, and also calls upon States which retain the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights[2] and articles 37 and 40 of the Convention on the Rights of the Child,[11] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 and taking into account the recommendations of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions in reports to the Council and the General Assembly, including the report submitted to the Assembly at its sixty-seventh session,[12] regarding the need to respect all safeguards and restrictions, including limitation to the most serious crimes, stringent respect of due process and fair trial safeguards and the right to seek pardon or commutation of sentence;

6. *Emphasizes* that to prevent extrajudicial, summary or arbitrary executions States should take necessary steps to adopt such laws or other measures as may be necessary to give effect to the right to life in accordance with international law and that everyone has the right to recognition everywhere as a person before the law;

7. *Urges* all States:

(a) To take all measures required by international human rights law and international humanitarian law to prevent loss of life, in particular that of children, during detention, arrest, public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State, including private security providers, act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials[13] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[14]

(b) To ensure the effective protection of the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities or because of their sexual orientation or gender identity, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by

[11] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[12] A/67/275.

[13] Resolution 34/169, annex.

[14] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

8. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

9. *Encourages* States, taking into account the relevant recommendations of the United Nations and of regional human rights systems, to review, where necessary, their domestic laws and practices with regard to the use of force in law enforcement in order to ensure that these laws and practices are in conformity with their international obligations and commitments;

10. *Also encourages* States to make appropriate protective equipment and less lethal weapons available to their officials exercising law enforcement duties, while pursuing efforts to regulate and establish protocols for the training and use of less lethal weapons and in this regard strengthening international cooperation;

11. *Further encourages* States to accelerate the work on fulfilling the 2030 Agenda for Sustainable Development,[5] bearing in mind the importance of the full enjoyment of human rights and access to justice for all and effective, accountable and inclusive institutions at all levels, as well as the systematic mainstreaming of a gender perspective;

12. *Urges* all States to ensure that all persons deprived of their liberty are treated humanely and with full respect for international law and that their treatment, including judicial guarantees and conditions, conforms to, as appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[8] as well as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)[7] and, where applicable, the Geneva Conventions of 12 August 1949[4] and the Additional Protocols thereto of 8 June 1977,[15] as well as other pertinent international instruments;

13. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, noting the growing awareness of the Court worldwide, as highlighted during the twentieth anniversary of the adoption of the Rome Statute of the Court,[9] calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, also welcomes the fact that 123 States have ratified or acceded to and 138 States have signed the Rome Statute, and calls upon all those States that have not ratified or acceded to the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court[16] to give serious consideration to doing so;

14. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools, including gender-sensitive tools, designed to encourage and facilitate greater attention to the protection of witnesses;

15. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to

[15] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.
[16] Ibid., vol. 2271, No. 40446.

training or educating military forces, law enforcement officers and government officials, as well as private personnel acting on behalf of the State, in international humanitarian and human rights law connected with their work, to include a gender and child rights perspective in such training and to require, where appropriate, that all private security providers have vetting and training procedures in place, including mandatory appropriate weapons training, that include human rights norms and principles, and appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

16. *Takes note with appreciation* of the reports of the Special Rapporteur to the General Assembly[17] and the Human Rights Council, and invites States to take due consideration of the recommendations contained therein;

17. *Commends* the important role that the Special Rapporteur plays in the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within the mandate, to collect information, including data disaggregated by sex, from all concerned, to respond effectively to reliable information that comes before him or her, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in reports;

18. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary or arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges the Special Rapporteur to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

19. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

20. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that the mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

21. *Strongly urges* all States to take the necessary measures to ensure the safety and security of national and international humanitarian personnel;

22. *Expresses its appreciation* to those States that have received the Special Rapporteur, asks them to examine the Special Rapporteur's recommendations carefully, invites them to inform the Special Rapporteur of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

23. *Once again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

24. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable her to carry out the mandate effectively, including through country visits;

[17] See A/72/335 and A/73/314.

25. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner and in conformity with the mandate of the High Commissioner, established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in international humanitarian and human rights law, including in provisions related to gender equality, form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

26. *Requests* the Special Rapporteur to submit to the General Assembly, at its seventy-fourth and seventy-fifth sessions, a report on the situation worldwide with regard to extrajudicial, summary or arbitrary executions and recommendations for more effective action to combat this phenomenon;

27. *Decides* to continue its consideration of the question at its seventy-fifth session.

Draft resolution XI
Promotion and protection of human rights and fundamental freedoms, including the rights to peaceful assembly and freedom of association

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, commonly referred to as the Declaration on Human Rights Defenders, and all its subsequent resolutions on this subject, including its resolutions 66/164 of 19 December 2011, 68/181 of 18 December 2013, 70/161 of 17 December 2015 and 72/247 of 24 December 2017, and recalling also all United Nations resolutions related to the freedoms of peaceful assembly and association and all resolutions of the Human Rights Council on human rights defenders, civil society space, safety of journalists, equal political participation, promotion and protection of human rights in the context of peaceful protests and the rights to freedom of peaceful assembly and association,

Noting that 2018 marks the seventieth anniversary of the Universal Declaration of Human Rights, the twenty-fifth anniversary of the Vienna Declaration and Programme of Action[3] and the twentieth anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and acknowledging the importance of these instruments for the promotion and the protection of all human rights,

Bearing in mind that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming that everyone has the rights to freedom of peaceful assembly and of association and that no one may be compelled to belong to an association,

Recognizing that the effective exercise of the rights to freedom of peaceful assembly and of association is essential for the enjoyment of other human rights and freedoms and constitutes a fundamental pillar for building a democratic society and strengthening democracy, as it provides individuals with invaluable opportunities to, inter alia, express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, engage in religious observances or other beliefs, form and join trade unions and cooperatives and elect leaders to represent their interests and hold them accountable,

Recalling the rights to freedom of peaceful assembly, of expression and of association, which encompass organizing, participating, observing, monitoring and recording assemblies, and expressing concern at the criminalization, in all parts of the world, of individuals and groups solely for having organized, taken part in or observed, monitored or recorded peaceful protests,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

Recognizing that transparent, responsible, accountable, open and participatory government, responsive to the needs and aspirations of the people, is the foundation on which good governance rests, and that such a foundation is one of the indispensable conditions for the full realization of human rights, including the rights to peaceful assembly and freedoms of association and expression,

Stressing, therefore, that everyone, including persons espousing minority or dissenting views or beliefs, must be able to express their grievances or aspirations in a peaceful manner, including through public protests, without fear of reprisal or of being intimidated, harassed, injured, sexually assaulted, beaten, arbitrarily arrested and detained, tortured, killed or subjected to enforced disappearance,

Encouraging all States to avoid using force wherever possible during peaceful protests and to ensure that, where force is absolutely necessary, no one is subjected to excessive or indiscriminate use of force,

Gravely concerned by the grave and growing threats, risks and dangers faced by all individuals, online and offline, for exercising their rights to peaceful assembly and freedoms of expression and association, particularly members of civil society, including but not limited to human rights defenders, including women human rights defenders, indigenous human rights defenders and those addressing environmental issues, and those defending persons belonging to minorities, including religious minorities, as well as those defending youth, persons with disabilities and older persons, labour leaders, individuals who may face multiple and intersecting forms of discrimination, including on the basis of gender, and journalists and media workers who report on their work, as well as by the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through undue restrictions on, inter alia, the rights to freedom of opinion, expression, association and peaceful assembly, and through the abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Stressing the responsibility of Member States and encouraging stakeholders in all sectors of society and in their respective communities, including Governments and their representatives, with respect to all individuals exercising their rights to peaceful assembly and freedoms of expression and association, online and offline, in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including killings, to categorically and clearly reject such practices and offences,

Reiterating that domestic law and administrative provisions and their application should not hinder but enable the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to the obligations of States under international human rights law,

Deploring violations and abuses of the rights to peaceful assembly and freedom of association by State and non-State actors, including arbitrary detentions of peaceful protestors and individuals on the basis of their political opinion and affiliation, as well as individuals identified as political opponents,

1. *Calls upon* States to promote a safe and enabling environment for individuals and groups to exercise their rights to freedom of peaceful assembly, of expression and of association, including by ensuring that domestic legislation and procedures relating to the rights to freedom of peaceful assembly, of expression and of association are in conformity with their international human rights obligations;

2. *Urges* States to take concrete steps to prevent and put an end to the arbitrary arrest and detention of peaceful protestors and human rights defenders for

exercising their human rights and fundamental freedoms of expression, peaceful assembly and association, including in relation to cooperation with the United Nations and other international mechanisms in the area of human rights, and in this regard strongly urges the release of such persons detained or imprisoned in violation of the obligations of States under international human rights law;

3. *Expresses deep concern* about extrajudicial, summary or arbitrary executions and the torture and other cruel, inhuman or degrading treatment or punishment of persons exercising their rights to freedom of peaceful assembly, of expression and of association in all regions of the world, and to this end:

(a) Strongly condemns the use of harassment, intimidation and extrajudicial, summary or arbitrary executions and killings by State and non-State actors to violently suppress and silence individuals, including young people and students, for participating in peaceful protests, including protests to call for democratic reforms;

(b) Urges States to pay particular attention to the safety and protection of women and women human rights defenders from acts of intimidation and harassment, as well as gender-based violence, including sexual assault, in the context of peaceful protests;

(c) Calls upon all States to pay particular attention to the safety of journalists and media workers observing, monitoring and recording peaceful protests, taking into account their specific role, exposure and vulnerability;

(d) Urges States to end their harassment and intimidation of and attacks against individuals participating in peaceful protests against racism and racial discrimination;

4. *Calls upon* all States to ensure that the same rights that individuals have offline, including the rights to freedom of expression, peaceful assembly and association, are also fully protected online, in accordance with human rights law, particularly by refraining from Internet shutdowns and content restrictions on the Internet that violate international human rights law, by ending attacks by States and taking steps to end attacks by non-State actors against journalists and other media workers covering demonstrations and protests and by ending government shutdowns of media outlets for attempting to report on such protests, and condemns unequivocally and calls for an end to all attacks and violence by State and non-State actors against journalists and media workers, including through attacks on, or the forced closure of, their offices and media outlets, in both conflict and non-conflict situations, in particular for journalists and media outlets covering or attempting to cover demonstrations and protests;

5. *Condemns* the use by State and non-State actors of slander, threats and attacks against members of civil society, including against religious leaders, including when they are attempting to use their good offices to mediate between the State and individuals trying to exercise their right to peacefully assemble;

6. *Encourages* States to support the implementation of policies and initiatives that promote tolerance, cultural integration and inclusion and respect for diversity, to end the persecution and repression of civil society and social movements and to recognize the important and legitimate role that they play in shaping governance and the rule of law, inclusiveness and development across all regions;

7. *Underlines* the necessity of addressing the management of assemblies, including peaceful protests, so as to contribute to their peaceful conduct and prevent injuries and loss of life among protestors, those observing, monitoring and recording such assemblies, bystanders and officials exercising law enforcement duties, and urges States to ensure accountability for human rights violations and abuses through

judicial or other national mechanisms, based on law and in conformity with their international human rights obligations and commitments, and to provide all victims with access to remedy and redress, including in the context of peaceful protests;

8. *Urges* States to acknowledge, through public statements, policies, programmes and laws, the important and legitimate role of individuals, groups and organs of society in the promotion of all human rights and fundamental freedoms, including the rights to freedom of peaceful assembly and association.

Draft resolution XII
Terrorism and human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights[2] and other relevant international human rights instruments,

Recalling all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning human rights and terrorism, the most recent of which are Assembly resolutions 72/180 of 19 December 2017 and 72/246 of 24 December 2017, and Human Rights Council resolutions 34/8 of 23 March 2017,[3] 35/34 of 23 June 2017[4] and 37/27 of 23 March 2018,[5]

Emphasizing that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming the obligation of States to respect all human rights and fundamental freedoms and the fundamental importance of respecting the rule of law,

Reaffirming also its unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism conducive to terrorism, in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, and of the financial, material or political support of terrorism as unjustifiable in accordance with applicable international law,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism and violent extremism conducive to terrorism in all their forms and manifestations, while stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations,

Reaffirming the primary responsibility of States to protect the population throughout their territory, and recalling in this regard that all parties to armed conflict must comply fully with obligations applicable to them under international humanitarian law related to the protection of civilians and medical personnel in armed conflict,

Recognizing that terrorism and violent extremism conducive to terrorism have a detrimental effect on the full enjoyment of all human rights and fundamental freedoms, and impede the full enjoyment of political, civil, economic, social and cultural rights, and that they pose a threat to the territorial integrity and security of States, the stability of Governments, the rule of law and democracy and, ultimately, to the functioning of societies and international peace and security,

Emphasizing that terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, and that tolerance, pluralism, inclusion and respect for diversity, dialogue

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Seventy-second session, Supplement No. 53* (A/72/53), chap. IV, sect. A.

[4] Ibid., chap. V, sect. A.

[5] Ibid., *Seventy-third session, Supplement No. 53* (A/73/53), chap. IV, sect. A.

among civilizations and the enhancement of interfaith and intercultural understanding and respect among people, including at the national, regional and global levels, while combating the escalation of hatred, are among the most important elements in the promotion of cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to that end,

Reaffirming that States must ensure that any measure taken to counter terrorism and violent extremism conducive to terrorism complies with international law, in particular international human rights law, international refugee law and international humanitarian law,

Reaffirming also its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, as adopted by the General Assembly in its resolution 60/288 of 8 September 2006, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism, and its sixth review, as taken note of in General Assembly resolution 72/284 of 26 June 2018,

Reaffirming further that the promotion and the protection of human rights for all and the rule of law are essential to the fight against terrorism and violent extremism conducive to terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing,

Expressing its grave concern at the phenomenon of foreign terrorist fighters and at the threat it poses to all States, including countries of origin, transit and destination, and encouraging all States to address this threat by enhancing their cooperation and developing relevant measures to tackle this phenomenon, in accordance with their obligations under international law, including international human rights law, international refugee law and international humanitarian law,

Deploring attacks on religious places and shrines and cultural sites that violate international law, in particular international human rights law and international humanitarian law, as applicable, including all deliberate destruction of relics, monuments or religious sites,

Strongly condemning the recruitment and use of children to perpetrate terrorist attacks and all violations and abuses committed by terrorist groups against children and women, including killing and maiming, abduction and rape and other forms of sexual violence, and noting that such violations and abuses may amount to war crimes or crimes against humanity,

Deeply deploring the suffering caused by terrorism to the victims and their families, and, while stressing the need to promote and protect the rights of victims of terrorism, in particular women and children, reaffirming its profound solidarity with them and stressing the importance of providing them with proper support and assistance while respecting, inter alia, considerations regarding remembrance, dignity, respect, accountability, truth and justice, in accordance with international law,

Expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups and are used as an instrument to increase their power through supporting financing and recruitment and through the destruction of communities,

Recognizing that countering terrorism requires a comprehensive approach and a multidimensional strategy to tackle the factors underlying terrorism,

Recognizing also the difficulties faced by the international community in addressing the conditions conducive to the spread of terrorism and violent extremism, which can be conducive to terrorism, and urging Member States and the United

Nations system to take measures, pursuant to international law and while ensuring national ownership, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner,

Conscious that there are a number of drivers underlying radicalization to terrorism, and that development based on the principles of social justice, inclusion and equal opportunities can contribute to the prevention of terrorism and violent extremism conducive to terrorism and to the promotion of inclusive, open and resilient societies, notably through education, and affirming the determination of States to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights and fundamental freedoms for all and the rule of law, to improve intercultural understanding and to promote respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern at their detrimental effects on the enjoyment of all human rights;

2. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law;

3. *Expresses concern* that terrorists and terrorist groups have targeted communities and individuals, as well as Governments, including on the basis of religion or belief and/or ethnicity;

4. *Stresses* the responsibility of States to protect persons in their territory against such acts, in full compliance with their obligations under international law, and in particular international human rights law, international refugee law and international humanitarian law;

5. *Expresses serious concern* at the violations of human rights and fundamental freedoms and of international refugee law and international humanitarian law in the context of countering terrorism and violent extremism conducive to terrorism;

6. *Reaffirms* its commitment to the United Nations Global Counter-Terrorism Strategy and a balanced and integrated implementation of its four pillars, as adopted in its resolution 60/288, and at its sixth review, and recognizes the need to redouble efforts for even attention paid to and even implementation of all the pillars of the strategy;

7. *Also reaffirms* its profound solidarity with the victims of terrorism and their families, acknowledges the importance of protecting their rights and providing them with proper support, assistance and rehabilitation while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law and the Charter of the United Nations;

8. *Stresses* the importance of ensuring access to justice and accountability, and calls upon States to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated by measures taken or means employed to counter terrorism or violent extremism conducive to terrorism has access to justice, due process and an effective remedy, and that victims of human rights violations and abuses receive adequate, effective and prompt remedy and reparations, which should include, as appropriate, restitution, compensation, rehabilitation and

guarantees of non-repetition as a fundamental basis of any strategy to counter terrorism and violent extremism conducive to terrorism;

9. *Also stresses* the importance of developing and maintaining effective, fair, humane, transparent and accountable criminal justice systems in a manner that fully respects the rights to equality and non-discrimination in the administration of justice, to a fair and public hearing by a competent, independent and impartial tribunal, to a review of detention and to the presumption of innocence and other fundamental judicial guarantees, such as due process, in accordance with their obligations under international law, including international human rights law, international humanitarian law and international refugee law;

10. *Urges* States to fully comply with their obligations under international law while countering terrorism, in particular international human rights law, international refugee law and international humanitarian law, with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

11. *Also urges* States to take all steps necessary to ensure the right of anyone arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power and the entitlement to trial within a reasonable time or release;

12. *Further urges* States to safeguard the work of civil society by ensuring that counter-terrorism laws and measures are consistent with and are applied in a manner that fully respects human rights, particularly the rights to freedom of expression, peaceful assembly and association;

13. *Urges* States to ensure that measures taken to counter terrorism and violent extremism conducive to terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law;

14. *Also urges* States to ensure, in accordance with their obligations under international law and national regulations, and whenever international humanitarian law is applicable, that counter-terrorism legislation and measures do not impede humanitarian and medical activities or engagement with all relevant actors as foreseen by international humanitarian law;

15. *Recognizes* the important role of religious leaders and institutions, local communities and community leaders in promoting tolerance and in preventing and countering terrorism and violent extremism conducive to terrorism;

16. *Also recognizes* the important role of women in preventing and countering terrorism and violent extremism conducive to terrorism, and requests States to consider, when appropriate, the impact of counter-terrorism strategies on women's and children's human rights, and to seek consultations with their respective organizations when developing strategies to counter terrorism and violent extremism conducive to terrorism;

17. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures and to promote the full and effective participation of women in these processes;

18. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights enshrined in the Universal Declaration of Human Rights[1] and the obligations of States under international human rights law, in particular the International Covenant on Civil and Political Rights,[2] with a view to ensuring respect for the principles of legal certainty and legality;

19. *Strongly condemns* terrorist acts and all acts of violence committed by terrorist groups, including trafficking in persons, kidnapping and hostage-taking with demands for ransom and/or political concessions, and the continued systematic and widespread abuses of human rights perpetrated by such groups, and calls upon all Member States to prevent terrorists from benefiting from ransom payment and political concessions and to secure the safe release of hostages, in accordance with applicable legal obligations, while noting the initiatives in this regard, including the Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists;

20. *Urges* States to do all they can, in accordance with their obligations under international law, to prevent any political, material or financial support from reaching terrorist groups, to deny terrorists safe haven, freedom of operation, movement and recruitment and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds be used, or with the knowledge that they are to be used, by terrorist groups for any purpose, and to bring to justice or, where appropriate, extradite the perpetrators of terrorist acts or any person who supports, facilitates or participates, or attempts to participate, in the financing, planning or preparation of terrorist acts;

21. *Calls upon* States to refrain from providing support to entities or persons involved in terrorist acts, including support in establishing propaganda platforms advocating hatred that constitutes incitement to discrimination, hostility or violence, including through the Internet and other media, and emphasizes in this regard the key importance of full respect for the right to freedom of opinion and expression as set out in the International Covenant on Civil and Political Rights;

22. *Urges* States to adopt rehabilitation and reintegration strategies for returning foreign terrorist fighters, in line with good practices, such as those set out in the Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the Foreign Terrorist Fighter Phenomenon of the Global Counterterrorism Forum, and to adopt a comprehensive approach that includes, inter alia, the development of national centres for counsel and the prevention of radicalization to violence, which can play an important role together with criminal justice responses;

23. *Renews its commitment* to strengthening international cooperation to prevent and counter terrorism in accordance with international law, including the Charter of the United Nations, international human rights law and international humanitarian law, including through technical cooperation, capacity-building and the exchange of information and intelligence on countering terrorism, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

24. *Strongly encourages* relevant United Nations agencies, including those involved in supporting counter-terrorism efforts, to take into account in their technical assistance with regard to counter-terrorism efforts, whenever appropriate, the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law and to continue to facilitate the promotion and protection of human rights and fundamental freedoms, due process and the rule of law, while countering terrorism;

25. *Requests* all Governments to cooperate fully with the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism in the performance of her mandated tasks and duties;

26. *Urges* States and the international community and encourages civil society to take measures, as appropriate, including through education, awareness-raising, the media and human rights education and training, to promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs and cultures and to effectively address the conditions conducive to the spread of terrorism and that make individuals and groups more vulnerable to the effects of terrorism and to recruitment by terrorists;

27. *Emphasizes* that mutual respect, tolerance, pluralism, inclusion and respect for diversity, dialogue among civilizations and the enhancement of interfaith and intercultural understanding, and combating intolerance, discrimination and hatred that constitutes incitement to discrimination, hostility or violence on the basis of religion or belief, or any other basis, including at the national, regional or global levels, are among the most important elements in promoting cooperation and success in preventing and combating terrorism and violent extremism conducive to terrorism, and welcomes the various initiatives to that end;

28. *Acknowledges* that the active participation of civil society organizations can strengthen ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism and to assess the impact of terrorism on the enjoyment of all human rights, and calls upon States to ensure that measures to counter terrorism and violent extremism conducive to terrorism and to preserve national security do not hinder the work and safety of such organizations and are in compliance with the obligations of States under international law, in particular international human rights law, international refugee law and international humanitarian law;

29. *Urges* States to safeguard the right to privacy in accordance with international law, in particular international human rights law, and to take measures to ensure that interference with or restriction of that right are not arbitrary, are adequately regulated by law and are subject to effective oversight and appropriate redress, including through judicial review or other means;

30. *Calls upon* Member States to remain alert to the use of information and communications technology for terrorist purposes and to cooperate to prevent and counter violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter-narratives, and to prevent terrorists from recruiting and raising funds online for terrorist purposes, while respecting human rights and fundamental freedoms, in compliance with their obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

31. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters, of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their obligations under international law, and reiterates that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace;

32. *Invites* all treaty bodies, special procedure mandate holders, international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms and on alleged violations of human rights and fundamental freedoms while countering terrorism and violent extremism conducive to terrorism, and to report regularly to the Human Rights Council;

33. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to continue to contribute to the work of the Office of Counter-Terrorism through, inter alia, participation in the Global Counter-Terrorism Coordination Compact;

34. *Encourages* the Security Council, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate to strengthen, within their mandates, the links, cooperation and dialogue with relevant human rights bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism;

35 *Encourages* relevant United Nations bodies and entities, in particular those participating in the Global Counter-Terrorism Coordination Compact and international, regional and subregional organizations, which provide technical assistance upon request, to step up their efforts to ensure respect for international human rights law, international refugee law and international humanitarian law, as well as the rule of law, as an element of technical assistance, including in the adoption and implementation of legislative and other measures by States;

36. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the protection of human rights, fundamental freedoms and the rule of law while countering terrorism;

37. *Requests* the Secretary-General to also consider the implementation of the present resolution in the preparation of the report to be presented at the seventy-fourth session of the General Assembly, as requested in its resolution 72/180.

Draft resolution XIII
Moratorium on the use of death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights[2] and the Convention on the Rights of the Child,[3]

Recalling the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,[4] and in this regard welcoming the increasing number of accessions to and ratifications of the Second Optional Protocol,

Recalling also its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012, 69/186 of 18 December 2014 and 71/187 of 19 December 2016 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

Recalling further all relevant decisions and resolutions of the Human Rights Council, the most recent of which was resolution 36/17 of 29 September 2017,[5]

Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available to the public information on the use of the death penalty, and also, in this regard, the decision by the Human Rights Council in its resolution 26/2 of 26 June 2014[6] to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty,

Recognizing the role of national human rights institutions in contributing to ongoing local and national debates and regional initiatives on the death penalty,

Welcoming the considerable movement towards the abolition of the death penalty globally and the fact that many States are applying a moratorium, including long-standing moratoriums, either in law or in practice, on the use of the death penalty,

Emphasizing the need to ensure that persons facing the death penalty have access to justice without discrimination, including access to legal counsel, and that

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] Ibid., vol. 1642, No. 14668.
[5] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53A* (A/72/53/Add.1), chap. III.
[6] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

they are treated with humanity and with respect for their inherent dignity and in compliance with their rights under international human rights law,

Noting with deep concern that, as shown in recent reports of the Secretary-General, frequently, poor and economically vulnerable persons, foreign nationals, persons exercising their human rights and persons belonging to religious or ethnic minorities are disproportionately represented among those sentenced to the death penalty,[7]

Noting the technical cooperation among Member States, as well as the role of relevant United Nations entities and human rights mechanisms, in supporting State efforts to establish moratoriums on the death penalty,

Bearing in mind the work of special procedures mandate holders who have addressed human rights issues related to the death penalty within the framework of their respective mandates,

1. *Reaffirms* the sovereign right of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations;

2. *Expresses its deep concern* about the continued application of the death penalty;

3. *Welcomes* the report of the Secretary-General on the implementation of resolution 71/187 and the recommendations contained therein;[8]

4. *Also welcomes* the steps taken by some States to reduce the number of offences for which the death penalty may be imposed, as well as steps taken to limit its application;

5. *Further welcomes* initiatives and political leadership encouraging national discussions and debates on the possibility of moving away from capital punishment through domestic decision-making;

6. *Welcomes* the decisions made by an increasing number of States from all regions, at all levels of government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;

7. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

(b) To comply with their obligations under article 36 of the 1963 Vienna Convention on Consular Relations,[9] particularly the right to receive information on consular assistance;

(c) To make available relevant information, disaggregated by sex, age, nationality and race, as applicable, and other applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, the number of death sentences reversed or commuted on appeal and information on any scheduled execution, which can contribute to possible informed and transparent national and

[7] See, inter alia, A/70/304 and A/73/260.

[8] A/73/260.

[9] United Nations, *Treaty Series*, vol. 596, No. 8638.

international debates, including on the obligations of States pertaining to the use of the death penalty;

(d) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below 18 years of age, on pregnant women or on persons with mental or intellectual disabilities;

(e) To reduce the number of offences for which the death penalty may be imposed, including by considering removing the mandatory application of the death penalty;

(f) To ensure that those facing the death penalty can exercise their right to apply for pardon or commutation of their death sentence by ensuring that clemency procedures are fair and transparent and that prompt information is provided at all stages of the process;

(g) To ensure that the death penalty is not applied on the basis of discriminatory laws or as a result of discriminatory or arbitrary application of the law;

(h) To establish a moratorium on executions with a view to abolishing the death penalty;

8. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

9. *Encourages* States which have a moratorium to maintain it and to share their experience in this regard;

10. *Calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;[4]

11. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the present resolution;

12. *Decides* to continue consideration of the matter at its seventy-fifth session under the item entitled "Promotion and protection of human rights".

Draft resolution XIV
Freedom of religion or belief

The General Assembly,

Recalling article 18 of the International Covenant on Civil and Political Rights,[1] article 18 of the Universal Declaration of Human Rights[2] and other relevant human rights provisions,

Recalling also its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling further its previous resolutions on freedom of religion or belief and on the elimination of all forms of intolerance and of discrimination based on religion or belief, including its resolution 72/177 of 19 December 2017 and Human Rights Council resolution 37/9 of 22 March 2018,[3]

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of freedom of religion or belief,

Noting the conclusions and recommendations of the expert workshops organized by the Office of the United Nations High Commissioner for Human Rights and contained in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,[4]

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief, as a universal human right, should be fully respected and guaranteed,

Seriously concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including against persons belonging to religious communities and religious minorities around the world, and at the increasing number and intensity of such incidents, which are often of a criminal nature and may have international characteristics,

Deeply concerned at the limited progress that has been made in the elimination of all forms of intolerance and of discrimination based on religion or belief, and believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, as well as at the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Recalling that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

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[1] See resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] See *Official Records of the General Assembly, Seventy-third Session, Supplement No. 53* (A/73/53), chap. IV, sect. A.

[4] A/HRC/22/17/Add.4, appendix.

Concerned that State and non-State actors sometimes tolerate or encourage acts of violence, or credible threats of violence, against persons belonging to religious communities and religious minorities,

Concerned also at the increasing number of laws and regulations that limit the freedom of thought, conscience and religion or belief and at the implementation of existing laws in a discriminatory manner,

Convinced of the need to urgently address the rapid rise in various parts of the world of religious extremism that affects the human rights of individuals, in particular persons belonging to religious communities and religious minorities, the situations of violence and discrimination that affect many individuals, particularly women and children, on the basis of or in the name of religion or belief or in accordance with cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the principles set out in the Charter of the United Nations and in other relevant instruments of the United Nations,

Seriously concerned about all attacks on religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, including any deliberate destruction of relics and monuments, and including also those carried out in connection with incitement to national, racial or religious hatred,

Emphasizing that States, regional organizations, national human rights institutions, non-governmental organizations, religious bodies, the media and civil society as a whole have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining the importance of education, including human rights education, in the promotion of tolerance, which involves the acceptance by the public of and its respect for diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's own choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Emphasizes* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection by the law;

3. *Strongly condemns* violations of freedom of thought, conscience and religion or belief, as well as all forms of intolerance, discrimination and violence based on religion or belief;

4. *Recognizes with deep concern* the overall rise in instances of discrimination, intolerance and violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia and prejudices against persons of other religions or beliefs;

5. *Reaffirms* that terrorism cannot and should not be associated with any religion or belief, as this may have adverse consequences for the enjoyment of the

right to freedom of religion or belief of all members of the religious communities concerned;

6. *Strongly condemns* continuing violence and acts of terrorism targeting individuals, including persons belonging to religious minorities, on the basis of or in the name of religion or belief, and underlines the importance of a comprehensive and inclusive community-based preventive approach, involving a wide set of actors, including civil society and religious communities;

7. *Recalls* that States have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, intimidation and harassment against a person or a group of persons belonging to a religious minority, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Emphasizes* that freedom of religion or belief, freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief;

9. *Strongly condemns* any advocacy of hatred based on religion or belief that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

10. *Expresses concern* at the persistence of institutionalized social intolerance and discrimination practised against many on the grounds of religion or belief, and emphasizes that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief and that such procedures, when legally required at the national or local level, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief, either individually or in community with others and in public or private;

11. *Recognizes with concern* the challenges that persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as well as women, are facing as regards their ability to freely exercise their right to freedom of religion or belief;

12. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, are non-discriminatory, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion or belief;

13. *Expresses deep concern* at continued obstacles to the enjoyment of the right to freedom of religion or belief, as well as the increasing number of instances of intolerance, discrimination and violence based on religion or belief, including:

(a) Acts of violence and intolerance directed against individuals based on their religion or belief, including religious persons and persons belonging to religious minorities and other communities in various parts of the world;

(b) The rise of religious extremism in various parts of the world that affects the human rights of individuals, including persons belonging to religious minorities;

(c) Incidents of hatred, discrimination, intolerance and violence based on religion or belief, which may be associated with or manifested by the derogatory

stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(d) Attacks on or destruction of religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, as they have more than material significance for the dignity and lives of persons holding spiritual or religious beliefs;

(e) Instances, both in law and practice, that constitute violations of the human right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights,[1] as well as other international instruments;

(f) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction;

14. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to that end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction by, inter alia, providing access to justice, including by facilitating legal assistance and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely choose and practise one's religion or belief is violated, paying particular attention to persons belonging to religious minorities;

(b) To implement all accepted universal periodic review recommendations related to the promotion and protection of freedom of religion or belief;

(c) To ensure that no one within their territory and subject to their jurisdiction is deprived of the right to life, liberty and security of person because of religion or belief, to provide adequate protection to persons at risk of violent attack on the grounds of their religion or belief, to ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(d) To end violations of the human rights of women and girls and to devote particular attention to appropriate measures modifying or abolishing existing laws, regulations, customs and practices that discriminate against them, including in the exercise of their right to freedom of thought, conscience and religion or belief, and to foster practical ways to ensure gender equality;

(e) To ensure that existing legislation is not implemented in a discriminatory manner or does not result in discrimination based on religion or belief, that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits and that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination based on religion or belief;

(f) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(g) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from

disclosing information concerning their religious affiliation in such documents against their will;

(h) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief, their right to establish and maintain places for these purposes and the right of all persons to seek, receive and impart information and ideas in these areas;

(i) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that they receive all necessary and appropriate awareness-raising, education or training on respect for freedom of religion or belief;

(k) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(l) To promote, through education and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of the diversity of religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(m) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis and to detect signs of intolerance that may lead to discrimination based on religion or belief;

15. *Welcomes and encourages* initiatives by the media to promote tolerance and respect for religious and cultural diversity and the universal promotion and protection of human rights, including freedom of religion or belief, and stresses the importance of unhindered participation in the media and in public discourse for all persons, regardless of their religion or belief;

16. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and welcomes different initiatives in this regard, including the United Nations Alliance of Civilizations initiative and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including national human rights institutions, non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[5] and further encourages their work in promoting freedom of religion or belief, in highlighting cases of religious intolerance, discrimination and persecution and in promoting religious tolerance;

[5] Resolution 36/55.

18. *Recommends* that States, the United Nations and other actors, including national human rights institutions, non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration in as many different languages as possible, and promote its implementation;

19. *Takes note with appreciation* of the work and the interim report on the elimination of all forms of religious intolerance of the Special Rapporteur of the Human Rights Council on freedom of religion or belief;[6]

20. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to his requests to visit their countries and to provide all information and follow-up necessary for the effective fulfilment of his mandate;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge his mandate;

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its seventy-fourth session;

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its seventy-fourth session under the item entitled "Promotion and protection of human rights".

[6] A/73/362.

Draft resolution XV
Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles of the Universal Declaration of Human Rights[1] and the provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[2] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto,[4] the International Convention for the Protection of All Persons from Enforced Disappearance,[5] the Convention on the Elimination of All Forms of Discrimination against Women,[6] the Convention on the Rights of the Child[7] and the Convention on the Rights of Persons with Disabilities,[8] as well as all other relevant international treaties,

Calling attention to the numerous international standards in the field of the administration of justice,

Recalling all the resolutions of the General Assembly, the Human Rights Council, the Commission on Human Rights and the Economic and Social Council that are relevant to the subject of human rights in the administration of justice, including General Assembly resolution 71/188 of 19 December 2016 and Human Rights Council resolutions 36/16 of 29 September 2017[9] and 37/22 of 23 March 2018,[10]

Taking note with appreciation of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,[11]

Recalling the adoption of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[12]

Reaffirming the importance of international standards and norms in crime prevention and criminal justice, including in relation to drug-related crimes, as recognized by Member States in the outcome document of the thirtieth special session of the General Assembly, entitled "Our joint commitment to effectively addressing and countering the world drug problem",[13]

Welcoming the work of all special procedures of the Human Rights Council that address human rights in the administration of justice in the discharge of their mandates,

Taking note of the work of the human rights treaty body mechanisms on human rights in the administration of justice, inter alia, of general comments No. 21 (1992)

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex; and United Nations, *Treaty Series*, vol. 1642, No. 14668.
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vols. 1465 and 2375, No. 24841.
[5] Resolution 61/177, annex.
[6] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[7] Ibid., vol. 1577, No. 27531.
[8] Ibid., vol. 2515, No. 44910.
[9] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53A* (A/72/53/Add.1), chap. III.
[10] Ibid., *Seventy-third Session, Supplement No. 53* (A/73/53), chap. IV, sect. A.
[11] A/73/253.
[12] Resolution 70/175, annex.
[13] Resolution S-30/1, annex.

on humane treatment of persons deprived of their liberty,[14] No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial[15] and No. 35 (2014) on liberty and security of person,[16] adopted by the Human Rights Committee, general comments No. 10 (2007) on children's rights in juvenile justice[17] and No. 13 (2011) on the right of the child to freedom from all forms of violence,[18] adopted by the Committee on the Rights of the Child, general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, adopted by the Committee on the Elimination of Racial Discrimination, and general recommendation No. 33 (2015) on women's access to justice, adopted by the Committee on the Elimination of Discrimination against Women,

Noting with appreciation the important work in the field of the administration of justice of the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Children's Fund, the Department of Peacekeeping Operations of the Secretariat and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) as well as the work of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict,

Recalling the regional conference on oversight, inspection and monitoring of places where children are deprived of liberty in the framework of the criminal justice system organized in Buenos Aires on 19 and 20 May 2016 by the Special Representative of the Secretary-General on Violence against Children and the United Nations Children's Fund, and the important recommendations that have been put forward in this regard,

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and of its members,

Encouraging continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and noting in this regard the World Congress on Justice for Children held in Paris from 28 to 30 May 2018,

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system as well as an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations and to challenge the lawfulness of detention before a court,

Emphasizing that the right to access to justice for all, which could include access to legal aid, forms an important basis for strengthening the rule of law through the administration of justice,

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[14] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40* (A/47/40), annex VI.B.

[15] Ibid., *Sixty-second Session, Supplement No. 40* (A/62/40), vol. I, annex VI.

[16] CCPR/C/GC/35.

[17] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41), annex IV.

[18] Ibid., *Sixty-seventh Session, Supplement No. 41* (A/67/41), annex V.

Underlining the importance of implementing the 2030 Agenda for Sustainable Development,[19] and recognizing the role of the relevant Sustainable Development Goals for eliminating discrimination in the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice as a crucial contribution to building peace and justice and ending impunity,

Recognizing the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms,

Concerned about the negative impact of overincarceration and overcrowding on the enjoyment of human rights, and acknowledging that overincarceration constitutes one of the major underlying causes of overcrowding,

Emphasizing that the penitentiary system should provide the possibility of reform and social rehabilitation of the offender in all appropriate cases, and that punishment should be dealt with in the larger framework of a criminal justice system that provides the possibility of reinsertion and reintegration of the offender into society,

Recalling that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society,

Underlining that, where persons are in vulnerable situations or marginalized, prejudice and discrimination in the administration of justice may result in their overincarceration and overrepresentation throughout the criminal justice system, and recognizing the need for States to take measures, within the justice system, particularly the criminal justice system, to prevent discrimination, inter alia, against persons belonging to national or ethnic, religious and linguistic minorities and to increase their effective participation within the system,

Aware of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse, injustice and humiliation,

Noting the importance of gender-sensitive justice systems,

Reaffirming that children who are victims and witnesses of crime and violence are particularly vulnerable and require special protection, assistance and support appropriate to their age, level of maturity and needs, in order to prevent further hardship and trauma that may result from their participation in the criminal justice process,

Recognizing the specific situation and needs of children formerly associated with armed forces or armed groups when accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups,

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning the child in the administration of justice, including in relation to pretrial measures, as well as being an important consideration in all matters concerning the child related to the sentencing of the parents, or, where applicable, legal guardians or primary caregivers,

[19] Resolution 70/1.

1. *Takes note with appreciation* of the most recent report of the Secretary-General on human rights in the administration of justice;[20]

2. *Also takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on non-discrimination and the protection of persons with increased vulnerability in the administration of justice, in particular in situations of deprivation of liberty and with regard to the causes and effects of overincarceration and overcrowding,[21] as well as previous reports on human rights in the administration of justice submitted to the Human Rights Council;

3. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice, and invites States to assess their national legislation and practice against those standards;

4. *Invites* States to make use of technical assistance offered by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

5. *Appeals* to Governments to include, in their efforts to implement the 2030 Agenda for Sustainable Development[19] and in their national development plans, the effective administration of justice and equal access to justice for all as an integral part of the development process, with a view to promoting and protecting human rights, and to allocate adequate resources for effective, fair, humane and accountable justice systems, including the provision of legal aid services, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, and through the encouragement of independence, accountability and transparency in the judiciary, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

7. *Reaffirms* that no one should be unlawfully or arbitrarily deprived of liberty, and notes that any deprivation should observe the principles of necessity and proportionality in this regard;

8. *Calls upon* States to apply individual criminal responsibility and to refrain from detaining persons based solely on their family ties with an alleged offender;

9. *Also calls upon* States to ensure that anyone who is deprived of liberty through arrest or detention has prompt access to a competent court with the effective power to determine the lawfulness of the detention and to order release if the detention or imprisonment is determined not to be lawful and prompt access to legal counsel, which could include legal aid schemes, in accordance with their international obligations and commitments;

10. *Calls upon* all States to consider establishing, maintaining or enhancing independent national mechanisms with the mandate to monitor all places of detention, including by making unannounced visits, and to hold private interviews without witnesses with all persons deprived of liberty, inter alia, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);[12]

[20] A/73/210.

[21] A/HRC/36/28.

11. *Calls upon* States to ensure a proper file and data management system on prisoners that allows the tracking of the number of persons deprived of their liberty, their detention period, offences or grounds for detention, and developments regarding the prison population, and encourages States to collect other up-to-date, comprehensive and disaggregated data that allow for the identification and prevention of discrimination in the administration of justice and overincarceration;

12. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

13. *Recalls* the absolute prohibition of torture in international law, and calls upon States to address and prevent the detention conditions, treatment and punishment of persons deprived of their liberty that amount to cruel, inhuman or degrading treatment or punishment;

14. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, to provide effective remedy to the victims, in accordance with their international obligations and commitments, and to ensure that detention administrations fully cooperate with the investigating authority and preserve all evidence;

15. *Also calls upon* States to ensure effective access to justice for persons with disabilities when investigating, prosecuting and punishing persons responsible for human rights violations and abuses committed against them, including by providing effective remedies, taking into consideration, on an equal basis with others, the specific circumstances of the person with disabilities, as well as by implementing systemic changes, legal and policy reforms and capacity-building where needed in order to ensure non-repetition;

16. *Urges* States to endeavour to reduce, where appropriate, pretrial detention, which should be a measure of last resort and for as short a period as possible, inter alia, by adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance, which could include legal aid schemes;

17. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the availability and use of alternatives to pretrial detention and custodial sentences, bearing in mind the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[22] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[23] access to legal aid, mechanisms for crime prevention, early release and rehabilitation programmes and the efficiency as well as the capacity of the criminal justice system and its facilities, bearing in mind the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;[24]

18. *Urges* States to take all necessary measures to prevent and eliminate discrimination in law and in practice against persons who are in vulnerable situations

[22] Resolution 45/110, annex.
[23] Resolution 65/229, annex.
[24] Resolution 67/187, annex.

or marginalized in the administration of justice that may also result in their overincarceration and overrepresentation throughout the criminal justice process;

19. *Also urges* States to pay special attention to the conditions of detention or imprisonment of persons who are in vulnerable situations or marginalized and their particular needs;

20. *Continues to encourage* States to pay due attention to the Bangkok Rules when developing and implementing relevant legislation, procedures, policies and action plans, and invites relevant special procedure mandate holders, the Office of the High Commissioner, the United Nations Office on Drugs and Crime and all other relevant organizations to take those rules into consideration in their activities;

21. *Encourages* States to review penal policies that can contribute to overincarceration and overcrowding, in particular regarding so-called "zero-tolerance policies", such as the application of mandatory pretrial detention and mandatory minimum sentences especially for minor and/or non-violent crimes;

22. *Recognizes* that all children and juveniles alleged as, accused of or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with their rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, taking into account also the age, gender, social circumstances and development needs of such children, and calls upon States parties to the Convention on the Rights of the Child[6] and States parties to the Optional Protocols to the Convention[25] to abide strictly by their principles and respective provisions;

23. *Reiterates* the importance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[26] and urges States to consider applying them, as appropriate, in the design, implementation, monitoring and evaluation of laws, policies, programmes, budgets and mechanisms aimed at eliminating violence against children in the field of crime prevention and criminal justice, and encourages States to support and to benefit, as appropriate, from the programme proposed by the United Nations Office on Drugs and Crime and the United Nations Children's Fund in this regard;

24. *Recalls* its resolutions 69/157 of 18 December 2014 and 72/245 of 24 December 2017, in which it invited the Secretary-General to commission an in-depth global study on children deprived of liberty, to be funded through voluntary contributions, and in this regard encourages Member States, United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study;

25. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so and to develop and implement a comprehensive and coordinated juvenile justice policy to prevent and address juvenile delinquency and to address risks and causes for children's contact with the juvenile and/or criminal justice system, as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

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[25] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[26] Resolution 69/194, annex.

26. *Stresses* the importance of including reintegration strategies for former child offenders in juvenile justice policies, in particular through the provision of gender-sensitive education and life skills programmes, as well as treatment and services for substance abuse and mental health needs, in line with relevant commitments and obligations under international human rights law, with a view to their assuming a constructive role in society;

27. *Urges* States to take all necessary and effective measures, including legal reform where appropriate, to prevent and respond to all forms of violence against children within the justice system, including within the informal justice system, where it exists;

28. *Also urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release nor corporal punishment is imposed for offences committed by persons under 18 years of age, and encourages States to consider repealing all other forms of life imprisonment for offences committed by persons under 18 years of age;

29. *Encourages* States not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and in this respect notes the recommendation of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level;[17]

30. *Also encourages* States to gather relevant information, including through data collection and research, concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

31. *Stresses* the importance of paying greater attention to the impact on children of imprisonment or other sentences imposed upon their parents, while noting with interest the convening of and reports on all relevant meetings and panel discussions on these issues held by the Human Rights Council;[27]

32. *Calls upon* States to take effective and appropriate measures to remove all barriers preventing persons with disabilities from having effective access to justice on an equal basis with others and without discrimination;

33. *Invites* States to provide for tailored and interdisciplinary human rights training, including anti-racist, anti-discriminatory, multicultural, disability-inclusive, gender-sensitive and child rights training, to all judges, lawyers, prosecutors, social workers, immigration, correction and police officers and other professionals concerned, including personnel deployed in international field presences;

34. *Also invites* States, upon their request, to benefit from technical advice and assistance provided by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

35. *Invites* the Office of the High Commissioner and the United Nations Office on Drugs and Crime to reinforce their technical assistance to States, upon request and in accordance with their respective mandates, to strengthen the national capacity-building of States in the field of the administration of justice, in particular in post-

[27] A/HRC/21/31 and A/HRC/25/33.

conflict situations, and in this context to strengthen cooperation with relevant United Nations entities;

36. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and of respecting the rule of law and human rights, including in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity, and in this respect requests the Secretary-General to further streamline and strengthen system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the Rule of Law Coordination and Resource Group chaired by the Deputy Secretary-General, the Rule of Law Unit in the Executive Office of the Secretary-General and the global focal point arrangement for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations;

37. *Invites* States, in the context of the universal periodic review mechanism and in their reports under international human rights treaties, to consider addressing the promotion and protection of human rights in the administration of justice;

38. *Also invites* States, when reviewing progress made in the implementation of the 2030 Agenda for Sustainable Development, to consider the possibility of looking into the causes and effects of overincarceration and overcrowding, including, where persons are in vulnerable situations or marginalized, with regard to non-discrimination and persons who are in vulnerable situations or marginalized in the administration of justice;

39. *Invites* relevant special procedure mandate holders of the Human Rights Council, as well as relevant treaty bodies, to give special attention to questions relating to the effective protection of human rights in the administration of justice, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

40. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fifth session a report on the latest developments, challenges and good practices in human rights in the administration of justice, including on the situation of persons with disabilities in the administration of justice, and on the activities undertaken by the United Nations system as a whole;

41. *Decides* to continue its consideration of the question of human rights in the administration of justice at its seventy-fifth session under the item entitled "Promotion and protection of human rights".

Draft resolution XVI
Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child[6] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[7]

Recalling the accession by 58 States to the International Convention for the Protection of All Persons from Enforced Disappearance,[8] and calling upon States that have not yet done so to consider signing, ratifying or acceding to it as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances,

Recalling also all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council,

Recalling further General Assembly resolution 71/201 of 19 December 2016 as well as all previous resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the right to the truth,

Noting with deep concern the growing number of armed conflicts in various parts of the world, often resulting in serious violations of international humanitarian law and international human rights law,

Noting that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of violations of international humanitarian law and international human rights law, continues to have a negative impact on efforts to put an end to those conflicts and inflicts grievous suffering on the families of missing persons, and stressing in this regard the need to address the issue from, inter alia, a humanitarian and rule of law perspective,

Expressing its concern about the dramatic increase since 2014 in persons reported missing in connection with armed conflict, and recognizing that it is critical for States to address the issue holistically, from prevention to the tracing, location, identification and return of missing persons,

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

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[1] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.
[2] Ibid., vol. 1125, Nos. 17512 and 17513.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] A/CONF.157/24 (Part I), chap. III.
[8] United Nations, *Treaty Series*, vol. 2716, No. 48088.

Bearing in mind that cases of missing persons involve conduct that may constitute criminal offences, and stressing the importance of ending impunity for violations of international humanitarian law and international human rights law with respect to missing persons,

Cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons, taking all appropriate measures to prevent persons from going missing, including, when appropriate, effectively investigating the conditions relating to persons going missing and determining the fate of missing persons, and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons using forensic sciences and other emerging technologies, and recognizing that great technological progress has been made in this field, including DNA forensic analysis, which can significantly assist efforts to identify missing persons and to investigate violations of international humanitarian law and international human rights law,

Recognizing that the establishment and effective work of competent national institutions can play a crucial role in clarifying the fate of missing persons in connection with armed conflict,

Bearing in mind that the question of missing persons entails consequences not only for the victims themselves, but also for their families, especially women, children and older persons, and, in this regard, recognizing the importance of addressing the legal situation of missing persons in connection with armed conflict and supporting their family members through national policies that include a gender perspective, as appropriate,

Noting, in this regard, the progress made by coordination mechanisms, established in different parts of the world, aiming at exchanging information and identifying missing persons, which have contributed to informing families of the fate and whereabouts of their missing relatives,

Recognizing that respect for and implementation of international humanitarian law can reduce the number of cases of missing persons in armed conflict, and, in this regard, stressing the importance of encouraging greater understanding of and respect for international humanitarian law,

Stressing the importance of measures to prevent persons from going missing in connection with armed conflict, which may include enacting national legislation, ensuring detainee registration, providing appropriate training for armed forces, producing and providing proper means of identification, the establishment of information bureaux, grave registration services and registers of deaths and ensuring accountability in cases of missing persons,

Also stressing the need to raise public awareness of the problem of missing persons in connection with armed conflict as an important concern, as well as relevant provisions of international humanitarian law and human rights law,

Noting the Agreement on the Status and Functions of the International Commission on Missing Persons, which established the Commission as an international organization,

Noting with appreciation the ongoing international and regional efforts to address the question of missing persons and the initiatives undertaken by international and regional organizations in this field,

Taking note of the report of the Secretary-General,[9]

1. *Urges* States to strictly observe and to respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949[1] and, where applicable, in the Additional Protocols thereto of 1977;[2]

2. *Calls upon* States parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with the armed conflict, to account for persons reported missing as a result of such a situation and, in cases of missing persons, to take such measures, as appropriate, in order to ensure thorough, prompt, impartial and effective investigations and the prosecution of offences linked to missing persons, consistent with their obligations under international law, with a view to full accountability;

3. *Calls upon* States to take measures to prevent persons from going missing in connection with armed conflict, including by fully implementing their obligations and commitments under relevant international law;

4. *Urges* States to avoid harm to civilians as an important factor in preventing persons from going missing in connection with armed conflict, including in minimizing the military use of civilian infrastructure, in accordance with applicable international law;

5. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflict;

6. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for persons who have been reported missing by an adverse party;

7. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict, without any adverse distinction, and, to the greatest extent possible, to provide their family members, through appropriate channels, with all relevant information that they have on their fate, including their whereabouts or, if they are dead, the circumstances and cause of their death;

8. *Recognizes* the need for appropriate means of identification and for the collection, protection and management of data on missing persons and unidentified remains, consistent with applicable international and national law, and urges all concerned States to cooperate with each other and with other concerned actors working in this area by, inter alia, providing all relevant information related to missing persons, including on their fate and whereabouts;

9. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflict and to take appropriate measures to search for and identify those children and to reunite them with their families;

10. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

11. *Urges* States that are parties to an armed conflict to cooperate, consistent with their international obligations, in order to effectively solve cases of missing persons, including by providing mutual assistance in terms of information-sharing, victim assistance, location and identification of missing persons and recovery, identification and return of human remains and, if possible, by identifying, mapping and preserving burial sites;

[9] A/73/385.

12. *Invites* States to encourage interaction between competent organizations and institutions, such as national commissions on missing persons, which play a crucial role in clarifying the fate of persons missing in connection with armed conflict and providing support to the families of the missing;

13. *Urges* States, and encourages intergovernmental and non-governmental organizations, to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflict without any adverse distinction and to provide appropriate assistance, as requested by the concerned States, and welcomes in this regard the establishment and efforts of commissions and working groups on missing persons;

14. *Calls upon* States, without prejudice to their efforts to determine the fate of persons reported missing in connection with armed conflict, to take appropriate steps with regard to the legal situation of missing persons and the individual needs and accompaniment of their family members, with particular attention to the needs of women, children and older persons, in such fields as social welfare, psychological and psychosocial support, financial matters, family law and property rights;

15. *Invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to further their engagement in order to follow forensic best practices as they apply to preventing and resolving cases of missing persons in connection with armed conflict;

16. *Also invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to exchange best practices and technical recommendations pertaining, inter alia, to the search for and clarification of the fate and whereabouts of missing persons, the use and development of digital tools, forensic analysis and identification and addressing the needs of families;

17. *Further invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to ensure the development and proper management of archives pertaining to missing persons and unidentified remains in connection with armed conflict, as well as access to those archives, in accordance with relevant applicable laws and regulations;

18. *Stresses* the need to address the issue of missing persons as a part of peace and peacebuilding processes, with reference to all justice and rule of law mechanisms, including the judiciary, parliamentary commissions and truth-finding mechanisms, on the basis of transparency, accountability and public involvement and participation;

19. *Welcomes* the progress made in clarifying the fate of missing persons in connection with armed conflict;

20. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflict in their forthcoming reports to the General Assembly;

21. *Requests* the Secretary-General to continue to seek further the views of Member States and relevant agencies and to submit to the Human Rights Council at its relevant session and to the General Assembly at its seventy-fifth session a comprehensive report on the implementation of the present resolution, including relevant practical recommendations;

22. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

23. *Decides* to consider the question at its seventy-fifth session.

Draft resolution XVII
The right to privacy in the digital age

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, the human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights[1] and relevant international human rights treaties, including the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2] as well as the Vienna Declaration and Programme of Action,[3]

Recalling General Assembly resolutions 68/167 of 18 December 2013, 69/166 of 18 December 2014 and 71/199 of 19 December 2016 on the right to privacy in the digital age, and resolution 45/95 of 14 December 1990 on guidelines for the regulation of computerized personal data files, as well as Human Rights Council resolutions 28/16 of 26 March 2015[4] and 34/7 of 23 March 2017[5] on the right to privacy in the digital age and resolutions 32/13 of 1 July 2016[6] and 38/7 of 5 July 2018[7] on the promotion, protection and enjoyment of human rights on the Internet,

Recalling also the outcome document of the high-level meeting of the General Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society,[8]

Taking note of the reports of the Special Rapporteur of the Human Rights Council on the right to privacy[9] and the reports of the Special Rapporteur of the Human Rights Council on the promotion and protection of the right to freedom of opinion and expression,[10]

Welcoming the work of the Office of the United Nations High Commissioner for Human Rights on the right to privacy in the digital age, noting with interest the report of the High Commissioner thereon,[11] and recalling the panel discussion on the right to privacy in the digital age held during the twenty-seventh session of the Human Rights Council,

Noting that the rapid pace of technological development enables individuals all over the world to use new information and communications technologies and at the same time enhances the capacity of Governments, companies and individuals to undertake surveillance, interception and data collection, which may violate or abuse human rights, in particular the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, and is therefore an issue of increasing concern,

Noting also that violations and abuses of the right to privacy in the digital age may affect all individuals, with particular effects on women, as well as children and those who are vulnerable and marginalized,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[5] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[6] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.
[7] Ibid., *Seventy-third Session, Supplement No. 53* (A/73/53), chap. VI, sect. A.
[8] Resolution 70/125.
[9] A/HRC/34/60 and A/72/540.
[10] A/HRC/38/35 and A/73/348.
[11] A/HRC/39/29.

Recognizing that the promotion of and respect for the right to privacy are important to the prevention of violence, including gender-based violence, abuse and sexual harassment, in particular against women and children, which can occur in digital and online spaces and includes cyberbullying and cyberstalking,

Reaffirming the human right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, and recognizing that the exercise of the right to privacy is important for the realization of the right to freedom of expression and to hold opinions without interference and the right to freedom of peaceful assembly and association, and is one of the foundations of a democratic society,

Noting with appreciation general comment No. 16 of the Human Rights Committee on article 17 of the International Covenant on Civil and Political Rights, on the right to respect of privacy, family, home and correspondence, and protection of honour and reputation,[12] while also noting the vast technological leaps that have taken place since its adoption and the need to discuss the right to privacy in view of the challenges of the digital age,

Recognizing the need to further discuss and analyse, based on international human rights law, issues relating to the promotion and protection of the right to privacy in the digital age, procedural safeguards, effective domestic oversight and remedies, the impact of surveillance on the right to privacy and other human rights, as well as the need to examine the principles of non-arbitrariness, lawfulness, legality, necessity and proportionality in relation to surveillance practices,

Noting the holding of the Global Multi-stakeholder Meeting on the Future of Internet Governance (NETmundial) and the multi-stakeholder discussions that take place annually in the Internet Governance Forum, which is a multi-stakeholder forum for discussions of Internet governance issues and whose mandate was extended by the General Assembly in 2015 for another 10 years,[8] and recognizing that effectively addressing the challenges relating to the right to privacy in the context of modern communications technology requires an ongoing, concerted multi-stakeholder engagement,

Emphasizing that the protection and promotion of, and respect for, the right to privacy benefit from sustained engagement, including through informal dialogues, among all stakeholders, including States, business enterprises, international organizations and civil society,

Recognizing that the discussion on the right to privacy should be based upon existing international and domestic legal obligations, including international human rights law, as well as relevant commitments, and should not open the path for undue interference with an individual's human rights,

Stressing the importance of full respect for the freedom to seek, receive and impart information, including the fundamental importance of access to information and democratic participation,

Recognizing that the right to privacy is important for the enjoyment of other rights and can contribute to an individual's ability to participate in political, economic, social and cultural life, and noting with concern that violations or abuses of the right to be free from unlawful or arbitrary interference with the right to privacy might affect the enjoyment of other human rights, including the right to freedom of

[12] *Official Records of the General Assembly, Forty-third Session, Supplement No. 40* (A/43/40), annex VI.

expression and to hold opinions without interference, and the right to peaceful assembly and freedom of association,

Noting that, while metadata may provide benefits, certain types of metadata, when aggregated, can reveal personal information that can be no less sensitive than the actual content of communications and can give an insight into an individual's behaviour, social relationships, private preferences and identity,

Expressing concern that individuals often do not and/or cannot provide their free, explicit and informed consent to the sale or multiple resale of their personal data, as the collecting, processing, use, storage and sharing of personal data, including sensitive data, have increased significantly in the digital age,

Noting with concern that profiling, automated decision-making and machine-learning technologies, sometimes referred to as artificial intelligence, without proper safeguards, may lead to decisions that have the potential to affect the enjoyment of human rights, including economic, social and cultural rights, and recognizing the need to apply international human rights law in the design, evaluation and regulation of these practices,

Emphasizing that unlawful or arbitrary surveillance and/or interception of communications, as well as the unlawful or arbitrary collection of personal data, as highly intrusive acts, violate the right to privacy, can interfere with the right to freedom of expression and may contradict the tenets of a democratic society, including when undertaken extraterritorially or on a mass scale,

Recognizing that the same rights that people have offline must also be protected online, including the right to privacy,

Noting in particular that surveillance of digital communications must be consistent with international human rights obligations and must be conducted on the basis of a legal framework, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that any interference with the right to privacy must not be arbitrary or unlawful, bearing in mind what is reasonable with regard to the pursuance of legitimate aims, and recalling that States that are parties to the International Covenant on Civil and Political Rights must take the necessary steps to adopt laws or other measures as may be necessary to give effect to the rights recognized in the Covenant,

Expressing concern about the spread of disinformation and propaganda, including on the Internet, which can be designed and implemented so as to mislead, to violate human rights, including the right to privacy and to freedom of expression, and to incite violence, hatred, discrimination or hostility, and emphasizes the important contribution of journalists in countering this trend,

Emphasizing that States must respect international human rights obligations regarding the right to privacy when they intercept digital communications of individuals and/or collect personal data, when they share or otherwise provide access to data collected through, inter alia, information- and intelligence-sharing agreements and when they require disclosure of personal data from third parties, including private companies,

Noting the increase in the collection of sensitive biometric information from individuals, and stressing that States must respect their human rights obligations and that business enterprises should respect the right to privacy and other human rights when collecting, processing, sharing and storing biometric information by, inter alia, considering the adoption of data protection policies and safeguards,

Noting also that general comment No. 16 recommends that States take effective measures to prevent the unlawful retention, processing and use of personal data stored by public authorities and business enterprises,

Welcoming measures taken by business enterprises, on a voluntary basis, to provide transparency to their users about their policies regarding requests by State authorities for access to user data and information,

Deeply concerned at the negative impact that surveillance and/or interception of communications, including extraterritorial surveillance and/or interception of communications, as well as the collection of personal data, in particular when carried out on a mass scale, may have on the exercise and enjoyment of human rights,

Emphasizing that, in the digital age, technical solutions to secure and to protect the confidentiality of digital communications, which may include measures for encryption, pseudonymization and anonymity, can be important to ensure the enjoyment of human rights, in particular the rights to privacy, to freedom of expression and to freedom of peaceful assembly and association, and recognizing that States should refrain from employing unlawful or arbitrary surveillance techniques, which may include forms of hacking,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms, journalists and other media workers may frequently face threats and harassment and suffer insecurity, as well as unlawful or arbitrary interference with their right to privacy, as a result of their activities,

Noting that, while concerns about public security may justify the gathering and protection of certain sensitive information, States must ensure full compliance with their obligations under international human rights law,

Noting also, in that respect, that the prevention and suppression of terrorism is a public interest of great importance, while reaffirming that States must ensure that any measures taken to combat terrorism are in compliance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Recognizing that an open, secure, stable, accessible and peaceful information and communications technology environment is important to the realization of the right to privacy in the digital age,

1. *Reaffirms* the right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights[1] and article 17 of the International Covenant on Civil and Political Rights;[2]

2. *Recognizes* the global and open nature of the Internet and the rapid advancement in information and communications technologies as a driving force in accelerating progress towards development in its various forms, including in achieving the Sustainable Development Goals;[13]

3. *Affirms* that the same rights that people have offline must also be protected online, including the right to privacy;

4. *Recalls* that any interference with the right to privacy should take into account its legality, necessity and proportionality;

[13] See resolution 70/1.

5. *Encourages* all States to promote an open, secure, stable, accessible and peaceful information and communications technology environment based on respect for international law, including the obligations enshrined in the Charter of the United Nations and human rights instruments;

6. *Calls upon* all States:

(a) To respect and protect the right to privacy, including in the context of digital communications;

(b) To take measures to put an end to violations of the right to privacy and to create the conditions to prevent such violations, including by ensuring that relevant national legislation complies with their obligations under international human rights law;

(c) To review, on a regular basis, their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law;

(d) To establish or maintain existing independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data;

(e) To provide individuals whose right to privacy has been violated by unlawful or arbitrary surveillance with access to an effective remedy, consistent with international human rights obligations;

(f) To consider developing or maintaining and implementing adequate legislation, in consultation with all relevant stakeholders, including civil society, with effective sanctions and appropriate remedies, that protects individuals against violations and abuses of the right to privacy, namely through the unlawful and arbitrary collection, processing, retention or use of personal data by individuals, Governments, business enterprises and private organizations;

(g) To consider adopting and implementing data protection legislation, regulation and policies, including on digital communication data, that complies with their international human rights obligations, which could include the establishment of national independent authorities with powers and resources to monitor data privacy practices, investigate violations and abuses and receive communications from individuals and organizations, and to provide appropriate remedies;

(h) To further develop or maintain, in this regard, preventive measures and remedies for violations and abuses regarding the right to privacy in the digital age that may affect all individuals, including where there are particular effects on women, as well as children and those who are vulnerable and marginalized;

(i) To consider developing, reviewing, implementing and strengthening gender-responsive policies that promote and protect the right of all individuals to privacy in the digital age;

(j) To provide effective guidance to business enterprises on how to respect human rights by advising on appropriate methods, including human rights due diligence, and on how to consider effectively issues of gender, vulnerability and/or marginalization;

(k) To promote quality education and lifelong educational opportunities for all to foster, inter alia, digital literacy and technical skills to effectively protect privacy;

(l) To refrain from requiring business enterprises to take steps that interfere with the right to privacy in an arbitrary or unlawful way;

(m) To take steps to enable business enterprises to adopt adequate voluntary transparency measures with regard to requests by State authorities for access to private user data and information;

(n) To consider developing or to maintain legislation, preventive measures and remedies addressing harm from the processing, use, sale or multiple resale or other corporate sharing of personal data without the individual's free, explicit and informed consent;

7. *Calls upon* business enterprises:

(a) To meet their responsibility to respect human rights in accordance with the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[13] including the right to privacy in the digital age;

(b) To inform users in a clear and easily accessible way about the collection, use, sharing and retention of their data that may affect their right to privacy and to establish transparency policies, as appropriate;

(c) To implement administrative, technical and physical safeguards to ensure that data are processed lawfully and to ensure that such processing is limited to what is necessary in relation to the purposes of the processing and that the legitimacy of such purposes, as well as the accuracy, integrity and confidentiality of the processing, is ensured;

(d) To ensure that respect for the right to privacy and other international human rights is incorporated into the design, operation, evaluation and regulation of automated decision-making and machine-learning technologies and to provide for remediation of the human rights abuses that they have caused or to which they have contributed;

8. *Encourages* business enterprises to work towards enabling secure communications and the protection of individual users against arbitrary or unlawful interference with their privacy, including by developing technical solutions;

9. *Encourages* all relevant stakeholders to participate in informal dialogues about the right to privacy, and takes note with appreciation of the contribution of the Special Rapporteur of the Human Rights Council on the right to privacy to this process;

10. *Encourages* the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to remain actively seized of the debate, and invites all relevant stakeholders to further discuss how profiling, automated decision-making and machine-learning technologies, sometimes referred to as artificial intelligence, without proper safeguards, impact the enjoyment of the right to privacy, for the purpose of clarifying existing principles and standards and identifying best practices regarding the promotion and protection of the right to privacy;

11. *Decides* to continue its consideration of the question at its seventy-fifth session.